Second Series Vol. XVIII - No. 6 Monday, August 18, 1958

LOK SABHA DEBATES

(Fifth Session)

(Vol. XVIII contains Nos. 1-10)

LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

(SECOND SERIES—VOLUME XVIII—11TH AUGUST TO 22ND AUGUST, 1958)

Monday, 11th August, 1958.

	COLUMNS
Oral Answers to Questions—	
Starred Questions Nos. 1 to 7, 9 to 12 and 14 to 21	1—37
Written Answers to Questions—	
Starred Questions Nos. 8, 13 and 22 to 37	38—49
Unstarred Questions Nos. 1 to 75	49—93
Motions for Adjournment—	
1. Situation in Kerala	93—112
2. Incidents on the Indo-Pakistan border	112—28
Death of Shri Raizada Hans Raj	128-29
Papers laid on the Table	129—33
Directions by the Speaker under the Rules of Procedure	133
President's Assent to Bills	134
Central Sales Tax (Second Amendment) Bill—	
Select Committee Report	134
Statement regarding major railway accident	136—39
Statement *re* Kerala and Madras Food Poisoning Cases Enquiry Commission—Report laid on the Table	140—43
Merchant Shipping Bill——	
Extension of time for presentation of Report of Joint Committee	143
Bills introduced—	
1. Armed Forces (Assam and Manipur) Special Powers Bill.	143-44
2. Code of Criminal Procedure (Amendment) Bill	144
3. Mineral Oils (Additional Duties of Excise and Customs) Bill	145
4. Working Journalists (Fixation of Rates of Wages) Bill	146
5. Industrial Disputes (Banking Companies) Decision Amendment Bill	146-47
6. Rajghat Samadhi (Amendment) Bill	147
7. Banaras Hindu University (Amendment) Bill	147—49
Statements *re:* Ordinances laid on the Table—	
1. Armed Forces (Assam and Manipur) Special Powers Ordinance, 1958	144
2. Code of Criminal Procedure (Amendment) Ordinance, 1958	145
3. Mineral Oils (Additional Duties of Excise and Customs) Ordinance, 1958	145
4. Working Journalists (Fixation of Rates of Wages) Ordinance, 1958	146
5. Banaras Hindu University (Amendment) Ordinance	149-50
Ancient Monuments and Archaeological Sites and Remains Bill	
Motion to consider, as passed by Rajya Sabha.	150—79
Discussion *re:* Annual Report of Neyveli Lignite Corporation (Private) Limited	179—226
Trade and Merchandise Marks Bill—	
Report of Joint Committee	227

COLUMNS

Evidence tendered before Joint Committee—Laid on the Table . . . 227
Business Advisory Committee—
Twenty-sixth Report 228
Daily Digest. . . . . 229—42

No. 2.—*Tuesday, the 12th August*, 1958.

Oral Answers to Questions—

Starred Questions Nos. 38 to 41, 54, 55, 62, 44, 45, 47, 48, 49, 51, 52, 53 & 56 243—78

Written Answers to Questions—

Starred Questions Nos. 42, 43, 46, 50, 57 to 61 and 63 to 70 . . . 278—87
Unstarred Questions Nos. 76 to 93, 95 to 144 and 146 to 182 . . . 287—356

Motion for Adjournment—

Calling in of troops in Jamshedpur . . . . . 356—62
Death of Shrimati A. Kale 363
Papers laid on the Table 363-64
Correction of Answers to Starred Question No. 1925 364-65
Business Advisory Committee—
Twenty-sixth Report 365-66
Ancient Monuments and Archaeological Sites and Remains Bill—
Motion to consider, as passed by Rajya Sabha . . . . . 366—421
Clauses 2 to 39 and 1 . . . . . 418—20
Motion to Pass 421
All India Services (Amendment) Bill—
Motion to consider . . . . . 421—42
Clauses 1 and 2 1-4
Motion to pass 442
Demands for Excess Grants (Railways), 1954-55 . . . . . 442—90
Daily Digest . . . . . 491—98

No. 3—*Wednesday, the 13th August*, 1958.

Oral Answers to Questions—

Starred Questions Nos. 71 to 73 and 75 to 87 . . . . . 499—534

Written Answers to Questions—

Starred Questions Nos 74 and 88 to 111 . . . . . 534—48
Unstarred Questions Nos. 183 to 235 and 237 to 286 . . . . . 548—605

Motions for Adjournment—

Situation in Ahmedabad . . . . . 605—16
Papers laid on the Table . . . . . 616—25
Calling Attention to Matter of Urgent Public Importance—
Break-down of Kotla Power Station 625-26
Correction of Answer to Starred Question No. 2099 626-27
Correction of Answer to Starred Question No. 1298 and 1315 . . . 627
Correction of Answer to Starred Question No. 1486 627
Statement by the Minister of Finance re: Foreign Exchange Position . 628—34

COLUMNS

Election to Committee—

Central Advisory Committee for National Cadet Corps 634-35

Sugar Export Promotion Bill—Introduced 636

Statement *re:* Sugar Export Promotion Ordinance—Laid on the table . . 636

Statutory Resolution *re:* Mineral Oils (Additional Duties of Excise and Customs) Ordinance—Negatived . . . . . 637—726

Mineral Oils (Additional Duties of Excise and Customs) Bill—

Motion to consider . . . . . 637—726

Clauses 1 to 6 722-23

Motion to pass . . . . . 723—26

Statutory Resolution *re :* Banaras Hindu University (Amendment) Ordinance and Banaras Hindu University (Amendment) Bill . . . . . 726—48

Daily Digest . . . . . 749—64

No. 4.—*Thursday*, 14*th August*, 1958.

Oral Answers to Questions—

Starred Questions Nos. 112, 113, and 115 to 130 . . . . . 765—804

Written Answers to Questions—

Starred Questions No. 114 and 131 to 147 . . . . . 804—14

Unstarred Questions Nos. 287 to 344, 346 to 350 and 352 . . . . 814—52

Death of Shri Lallanji 853

Motions for Adjournment—

Flood situation in Uttar Pradesh . . . . . 853—55

Papers laid on the Table 855-56

Committee on Private Members' Bills and Resolutions—Twenty-third Report 857

Calling Attention to Matter of Urgent Public Importance—

Situation in the Middle-East . . . . . 857—70

Statement *re :* Cost Accounts Reports 871

Appropriation (Railways) No. 3 Bill—Introduced 871-72

Banaras Hindu University (Amendment) Ordinance and Banaras Hindu University (Amendment) Bill . . . . . 872—1000

Daily Digest . . . . . 1001—06

No. 5.—*Saturday*, 16*th August*, 1958.

Oral Answers to Questions—

Starred Questions Nos. 148 to 150, 154 to 156 and 158 to 165 . . . 1007—42

Written Answers to Questions—

Starred Questions Nos. 151 to 153, 157 and 166 . . . . . 1043—51

Unstarred Questions Nos. 353—439. . . . . 1051—1108

Papers laid on the Table . . . . . 1108—12

Public Accounts Committee—

Seventh Report 1113

Business of the House 1113-14

Parliament (Prevention of Disqualification) Bill—

Extension of time for presentation of Report of Joint Committee . . . 1114

Appropriation (Railways) No. 3 Bill, 1958—

Motion to consider 1114-15

	COLUMN
Clauses 1 to 3 and schedule	1115
Motion to pass	1115
Statutory Resolution *re* : Banaras Hindu University (Amendment) Ordinance —Negatived	1115—91
Banaras Hindu University (Amendment) Bill—	
Motion to refer to Select Committee	1115—92
Committee on Private Members' Bills and Resolutions—	
Twenty-third Report	1193
Resolution *re* Women Labour in certain Industries	1193—1219
Resolution *re*. Working of Monopolistic Concerns	1220—52
Daily Digest	1253—62

No. 6—*Monday*, 18*th August*, 1958.

Oral Answers to Questions—	
Starred Questions Nos. 178 to 180, 182 to 186, 188 to 190, 192, 194 to 196, 198-200, 202 and 203	1263—1300
Correction of Answer to Starred Question No. 183	1300
Written Answers to Questions—	
Starred Questions Nos. 181, 187, 191, 193, 197, 201 and 204 to 218	1301—12
Unstarred Questions Nos. 440 to 518	1312—55
Motion(s) for Adjournment—	
Incident at Jaipur on Independence Day	1355–56
Break-down of water-supply in Delhi—Negatived	1356—68, 1463—1540
Papers laid on the Table	1368—72
Arrest of two Members	1372
Detention and Release of a Member	1373
Estate Duty (Amendment) Bill—	
Report of Select Committee presented	1373
Statement *re*. New Freight Structure (Railways)	1374–75
Statement *re*. Changes in the Railway Board	1375—77
Minutes of Estimates Committee	1377
Code of Criminal Procedure (Amendment) Bill—	
Motion to consider	1378—97
Clause 2 to 4 and 1	1397
Motion to Pass	1397
Armed Forces (Assam and Manipur) Special Powers Bill—	
Motion to consider	1397—1463
Clauses 2 to 7 and 1	1459–60
Motion to Pass	1461—63
Working Journalists (Fixation of Rates of Wages) Bill—	
Motion to consider	1539–40
Daily Digest	1541—48

No. 7—*Tuesday*, *19th August* 1958.

Oral Answers to Questions—	
Starred Questions Nos. 219, 220 and 222 to 234	1549—87
Written Answers to Questions—	
Starred Questions Nos. 221 and 235 to 271	1587—1608
Unstarred Questions Nos. 519 to 584, 586 and 587	1608—51

	COLUMN
Clauses 1 to 3 and schedule	1115
Motion to pass	1115
Statutory Resolution *re* : Banaras Hindu University (Amendment) Ordinance —Negatived	1115—91
Banaras Hindu University (Amendment) Bill—	
Motion to refer to Select Committee	1115—92
Committee on Private Members' Bills and Resolutions—	
Twenty-third Report	1193
Resolution *re* Women Labour in certain Industries	1193—1219
Resolution *re*. Working of Monopolistic Concerns	1220—52
Daily Digest	1253—62

No. 6—*Monday*, 18*th August*, 1958.

Oral Answers to Questions—	
Starred Questions Nos. 178 to 180, 182 to 186, 188 to 190, 192, 194 to 196, 198-200, 202 and 203	1263—1300
Correction of Answer to Starred Question No. 183	1300
Written Answers to Questions—	
Starred Questions Nos. 181, 187, 191, 193, 197, 201 and 204 to 218	1301—12
Unstarred Questions Nos. 440 to 518	1312—55
Motion(s) for Adjournment—	
Incident at Jaipur on Independence Day	1355–56
Break-down of water-supply in Delhi—Negatived	1356—68, 1463—1540
Papers laid on the Table	1368—72
Arrest of two Members	1372
Detention and Release of a Member	1373
Estate Duty (Amendment) Bill—	
Report of Select Committee presented	1373
Statement *re*. New Freight Structure (Railways)	1374–75
Statement *re*. Changes in the Railway Board	1375—77
Minutes of Estimates Committee	1377
Code of Criminal Procedure (Amendment) Bill—	
Motion to consider	1378—97
Clause 2 to 4 and 1	1397
Motion to Pass	1397
Armed Forces (Assam and Manipur) Special Powers Bill—	
Motion to consider	1397—1463
Clauses 2 to 7 and 1	1459–60
Motion to Pass	1461—63
Working Journalists (Fixation of Rates of Wages) Bill—	
Motion to consider	1539–40
Daily Digest	1541—48

No. 7—*Tuesday*, *19th August* 1958.

Oral Answers to Questions—	
Starred Questions Nos. 219, 220 and 222 to 234	1549—87
Written Answers to Questions—	
Starred Questions Nos. 221 and 235 to 271	1587—1608
Unstarred Questions Nos. 519 to 584, 586 and 587	1608—51

LOK SABHA

Monday, 18th August, 1958.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Oil Refineries at Barauni and Gauhati

\+

*178. **Shri V. C. Shukla:**
Shri D. C. Sharma:
Shri Bibhuti Mishra:
Shri Damar:
Sardar Iqbal Singh:
Pandit D. N. Tiwary:
Shrimati Mafida Ahmed:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 373 on the 21st February, 1958 and state:

(a) whether Government have since received the project studies on the proposed oil refineries at Gauhati and Barauni;

(b) if so, the broad features of the same;

(c) if not, the reasons for the delay; and

(d) by what date the project studies are expected to be ready?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Four volumes out of six have been received so far. The remaining volumes are expected to be received shortly. Sir, I may be permitted to add here that since the answer to this question was finalised, the other two volumes have also been received.

(b) The report is under examination. It is not in public interest to disclose details of the report at present.

(c) and (d). Do not arise.

Shri V. C. Shukla: May I know whether it is not a fact that acceptance of the recommendations of the International Petroleum Consultants would immediately save about 13 million pounds sterling in the cost of the refinery and about Rs. 10 crores in the recurring cost of the refinery?

Shri K. D. Malaviya: All such figures have been indicated roughly by the consultants of the I.O.C. But taking generality of the situation, the assumption of the Government over these figures is not exactly what the authors have made out.

Shri V. C. Shukla: The agreement of Oil India with the Government of India is only for the extraction of oil and its transportation to the refineries. May I know what is the procedure, organisation and the pattern that is being envisaged or devised by the Government for the transportation of the finished products and their distribution to the consumers?

Shri K. D. Malaviya: When the refineries will be on stream, to begin with the transportation of the finished products is expected to proceed in the routine way, that is by railway as it obtains today. But subsequent to our refineries working, the Government are also considering whether there are alternative methods of transportation of the finished goods or not.

Shrimati Mafida Ahmed: In view of the fact that a huge expenditure is involved for the preparation of the project reports, may I know the reason why the Government are confined to a package deal with Rumania in regard to the setting up of the Assam Refinery when all the project reports are under active consideration of the Government; and may I know further why the Government of Assam, the State which produces the oil, were not associated in the negotiations carried on with Rumania?

Shri K. D. Malaviya: The terms of the project report were quite clear and they tended to advise the Government on the question of pipe-line and also of the distribution system of the refinery. There is nothing contradictory in the fact that Government started probing the question of getting a refinery and also getting the reports from the consultants together.

श्री विभूति मिश्र : मैं जानना चाहता हूं कि बरौनी में जो तेल शोधक कारखाना खुलने वाला है उस पर कुल कितना खर्चा आयेगा और क्या सरकार ने साइट को सिलेक्ट कर लिया है ।

श्री के० डी० मालवीय : जी नहीं अभी तो मसले पर विचार हो रहा है ।

Shri D. C. Sharma: May I know if in the examination of these project studies, some technical persons have been invited and, if so, whether those technical persons are from India or from foreign countries?

Shri K. D. Malaviya: Technical opinion is being taken from various sources. The majority of them obviously are from outside.

Shri Narayanankutty Menon: In view of the fact that there is a surplus of motor gasolene from the three distilleries already existing, will the Government in considering and deciding upon the report give special emphasis for the distillation of kerosene instead of motor gasolene so far as these two refineries are concerned?

Shri K. D. Malaviya: Yes, Sir, we are considering such schemes.

Shri Basumatari: May I know whether the Government of Assam have submitted a proposal, in consultation with the international experts, to have a single refinery at Assam, and whether it was found feasible to establish a single big refinery at Assam?

Shri K. D. Malaviya: Yes, Sir, the Government of Assam have made certain proposals which have the implication of a very big refinery in Assam, instead of the Government proposal of having two refineries at two places.

Shri P. C. Borooah: Is it a fact that oil wells which can produce 4 million tons of oil have been plugged by the delay in starting this refinery?

Shri K. D. Malaviya: The question of delay does not arise when an oil well is ready for the production of crude oil. There are other things to do. Besides, the figure quoted by my friend is not correct. We can perhaps produce between 1 to 2 million tons of crude oil if we are ready for transportation of the same, within a few months.

Shrimati Mafida Ahmed: The hon. Minister of Mines and Oil informed the Assam Chief Minister in July, 1958 that the official delegation was completing the negotiations in Bucharest. In view of the fact that the official delegation has already returned, may I know when the formal agreement will be signed and where?

Shri K. D. Malaviya: We are trying to expedite the whole thing.

Shri C. R. Pattabhi Raman: Is it permissible for the State Governments to deal with foreign Governments?

Shri K. D. Malaviya: Usually it does not take place.

Shri V. C. Shukla: The other day the hon. Minister said that there might not be any need of consulting the State Government further. But

last time when the delegation from Assam visited Delhi, the Prime Minister assured them that before a final decision was taken they would again be consulted. What is the present position?

Shri K. D Malaviya: They have been consulted in the past and, if necessary, they will again be consulted

Shri Tyagi: He gives assurance to everybody!

Post-Basic Education

*179. **Shri Subodh Hansda:** Will the Minister of Education be pleased to state whether the Committee appointed by Government to go into the question of integration of Post-Basic Education with Secondary Education has submitted its report?

The Minister of Education (Dr. K L Shrimali): No, Sir

Shri Subodh Hansda: May I know when this report will be submitted?

Dr K L. Shrimali: It will take some time, because they are making detailed investigations.

Shri Subodh Hansda: May I know whether the syllabus for this integrated course has been finalised?

Dr K L. Shrimali: Well, Sir, the position is that the course for post-basic schools and the course for multi-purpose schools are different The Committee has been asked to study this problem, to make a comparative study of these institutions and try to bring them closer. Because, we have taken a decision that those schools should not be a separate pattern but one of the types of multi-purpose schools. Therefore, they are making a comparative study and trying to bring them closer

Dr. Sushila Nayar: In view of the fact that several batches of post-basic students have completed their post-basic course, what arrangements have been made for the recognition of these studies so as to allow these students to go up to the University if they wish to do so?

Dr K. L Shrimali: The matter has been referred to the Inter-University Board which is mainly concerned with this, and the Board has already appointed a sub-committee to examine this question, and this committee has also been working at it

Shri S. C Samanta: May I know whether this committee will also deal with the syllabus of pre-basic education and junior high schools?

Dr K. L. Shrimali: I do not know to which high school the hon Member refers and in which State

Shri S. C. Samanta: The different States have two standards—one, up to class VIII which is called junior high school and the second, up to class XI, which is called multi-purpose school in the secondary education sphere. I meant that I want to know whether that has been considered, because the sphere of basic education ends in class VIII

Dr K. L. Shrimali: This committee has limited functions It is trying to examine the syllabi of the post-basic schools and the multi-purpose schools, and effort is being made to bring them closer so that there may not be two parallel schemes and there might be only one scheme

Shri Jadhav: Is it a fact that there are many complaints about the introduction of basic education in the primary schools and the same has been a complete failure?

Dr. K. L. Shrimali: There are complaints and complaints, but as far as the Government of India are concerned, they have accepted basic education as the pattern of national education.

Mr. Speaker: There are complaints and complaints with the Government of India, but they are proposing to continue it

Dr. Sushila Nayar: Since several batches of students have already completed their post-basic education, may I know how long this Committee is likely to take to give its decision so that the students do not waste too much time before they can go on with further studies?

Dr K. L Shrimali: I cannot say exactly when the report will be finished, but that need not prevent the State Governments from taking necessary action In fact, at the last Education Ministers' Conference, it was decided that we should not have two parallel schemes Both the Central Advisory Board of Education and the Education Ministers' Conference decided that we should have only one scheme and not two schemes, and the Government of India have accepted basic education as the pattern of national education

Law Commission

\+

*180. **Shri D C Sharma:**
Shri Ram Krishan.
Sardar Iqbal Singh:
Shri Jaganatha Rao:
Shri Balmiki:
Shri Easwara Iyer:

Will the Minister of Law be pleased to refer to the reply given to Starred Question No 114 on the 13th February, 1958 and state

(a) whether the Law Commission has submitted its final report on Statute Law revision, and

(b) if so, whether a copy of the report will be laid on the Table?

The Deputy Minister of Law (Shri Hajarnavis): (a) and (b) The Law Commission functions in two Sections the first Section dealing with Reform of Judicial Administration and the second with Statute Law Revision The latter Section examines individual Acts or a group of allied Acts and submits a report on each Act or group of Acts separately after each such examination is completed. Eight such reports on the following eight subjects/ statutes have been submitted to Government so far:—

1. The Liability of State in Tort.
2. Parliamentary Legislation relating to Sales Tax
3. The Limitation Act, 1908.
4. On the proposal that High Courts should sit in Benches at different places in a State
5. British Statutes applicable to India
6. The Indian Registration Act, 1908
7. The Indian Partnership Act, 1932
8. The Sale of Goods Act, 1930

The first seven Reports have already been laid on the Table of the House The Eighth Report will be laid on the Table shortly The Commission's Reports on the Specific Relief Act, 1878, the Land Acquisition Act, 1894, the Negotiable Instruments Act, 1881 and the Income-tax Act, 1922 are also likely to be submitted to Government shortly

Shri D C. Sharma: The hon Deputy Minister has given almost the same reply which he gave last time when I put this question, and it was said in answer to a supplementary that the Commission will complete its work by the end of June, 1958 and that the report will be submitted before the 30th June, 1958 That was the answer given by the hon Deputy Minister

Shri Hajarnavis: I do not think I said so

Shri D. C. Sharma: May I know what has delayed the publication of these reports and why the examination of these Acts to which the hon. Minister refered has taken so long?

The Minister of Law (Shri A K. Sen): I think the question really rolls up two questions The first question related to the propriety of an earlier answer or reply, and the second about

the delay which has taken place regarding the publication of these reports. So far as the first question is concerned, the original reply was in relation to a query as to the possible time within which the Law Commission's report regarding judicial reform would be out. That was stated to be June of this year. So far as these reports are concerned, it is a continuous work, and the Law Commission takes up one statute after another. There is no question of any delay being met with for the revision of these statutes. They take the time necessary for revising each statute.

Shri Easwara Iyer: In view of the fact that the members of the Law Commission, as constituted at present, have other onerous responsibilities and are only part-time members, may I know if the Government are aware that there is considerable delay in their discharge of their duties?

Shri A. K. Sen: There have been complaints regarding that, but the Government cannot share the conclusion that there has been considerable delay. But the fact that members of the Law Commission have other duties to perform simultaneously is certainly one of the matters under consideration of the Government at the present moment.

Shri Tangamani: The Deputy Minister of Law stated that amongst the reports which are submitted, one dealt with Parliament's functions so far as the sale-tax is concerned. May I know whether the Government have taken any decision on the recommendation of the Law Commission on that particular statute?

Shri Hajarnavis: That is the basis of the Central Sales-tax Act which has already been put on the statute-book.

Shri Supakar: May I know what steps the Government are taking to translate into action so far as the recommendations of the Commission regarding important matters like registration, partnership and limitation law are concerned?

Shri Hajarnavis: The hon. Member means the implementation of the recommendations.

Shri Supakar: Yes.

Shri Hajarnavis: They are circulated to the State Governments in some cases and their reports are awaited.

Pandit K. C. Sharma: May I know whether the Law Commission will go into the question of extent, formation and procedure of administrative law as well?

Shri A. K. Sen: It is difficult to anticipate; it is expected that they will deal with the matter as well.

Shri Kasliwal: From the answer that the hon. Minister has given it appears that the section of Law Commission which deals with judicial administration was to report by the end of June, and it has not yet reported. May I know whether this section has made any interim report with regard to judicial reform?

Shri A. K. Sen: That question was answered by the Home Minister, I think, last year—I forget the date now,—when certain reports appeared in certain papers regarding alleged interim reports having been made by the Law Commission, and the Government sticks to that reply.

Shri Easwara Iyer: The Law Minister said that the Law Commission is entrusted with the responsibility of judicial reforms also. May I know whether the Law Commission is also asked to give suggestions and recommendations regarding the matter of delay in the disposal of cases in the judiciary?

Shri A. K. Sen: The hon. Member is refered to the terms of reference under which the Law Commission was appointed, and a perusal of the terms of reference would show that this is one of the matters entrusted to it.

Country Liquor in Delhi

+

*182. {**Shri Harish Chandra Mathur:**
Shri Padam Dev:

Will the Minister of **Home Affairs** be pleased to lay a statement showing:

(a) to what extent the consumption of country liquor has decreased or increased in Delhi during the last four years (year-wise);

(b) what revenue has been derived during each of these years; and

(c) what further steps are proposed to be taken to reduce the consumption of country liquor?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 1.]

Shri Harish Chandra Mathur: May I know what phased programme was drawn up by the Delhi Administration when it had a Ministry of its own, and in what respects that programme is being adhered to or has been changed?

Shri Datar: We are following the same programme so far as the then Ministry was concerned.

Shri Harish Chandra Mathur: May I know if it is a fact that they had envisaged a total prohibition within certain period of time and had phased for it and wanted action to be taken, and in view of that, what is the Government's programme now? Is it not a fact that they are going back upon that programme and have already taken certain retrograde steps?

Shri Datar: We are not going back upon what has been already done. So far as the future is concerned, there are certain difficulties with regard to further and fuller implementation of the programme of prohibition. That is the reason why at present Government are dealing rather with certain restrictions than prohibition itself.

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि दिल्ली की कुछ मजदूर बस्तियों की तरफ से सरकार को एक शापन दिया गया है जिसमें यह कहा गया है कि इन बस्तियों से इस तरह की दुकान हटा दी जायें ?

Shri Datar: Government are removing the liquor shops far away from all such localities.

Shri Tangamani: From the statement we find that although the consumption of liquor has reduced during the year 1957-58, there is not that perceptible decrease so far as revenue is concerned May I know whether there is any other different method...

Shri Datar: The increase in revenue is due to the enhancement of the duty.

Shri Harish Chandra Mathur: May I know how the reduction in the number of these shops has helped to take prohibition a step forward? Is it not a fact that instead of more shops, now they are concentrating the business in the hands of a few persons who are having the best?

Shri Datar: Formerly there were seven, but now there are only two. They also have been removed to a locality far away from the places where generally there are such drunkards. That had a very salutary effect upon the population.

Dr. Sushila Nayar: Am I to understand from the hon. Minister's reply that the programme of complete prohibition for Delhi has been given up or has been put off for a very long time?

Shri Datar: It has been neither given up nor put off for a very long time. But Government are trying to consider the difficulties. We have got two States U.P. and Punjab round about Delhi. Therefore, whatever has to be done has to be done effectively.

Shri Tyagi: The hon. Minister said that the consumption of liquor has decreased. May I know whether this decreased is effected more in the country liquor or foreign liquor?

Shri Datar: The question relates to country liquor and the answer also relates to that

Shri Jaipal Singh: In view of the fact that the hon Minister has been frank enough to admit that the Government has not been able to cope with the difficulties and has not been able to assess the difficulties, will Government scrap prohibition and study the difficulty first, before launching upon the scheme?

Shri Datar: Government will not sack prohibition, Government will try to battle with it

Shri Nath Pai. He has partially answered it, but I only wanted to put it this way He said, there is no going back and Government will be going ahead In going ahead, will they take into consideration the grand failure of prohibition in Bombay?

Shri Datar: We have introduced more restrictions after the last Ministry ceased to have power in Delhi and we are following the policy of more and more restrictions

Shri Khadilkar: From the statement it appears that the country liquor consumption is going down Does it mean that illicit distillation is going up and if so, if it is injurious, has Government sent some samples to some laboratory to test the same so as to make it less injurious?

Shri Datar: It means a decrease in consumption.

1961 Population Census

\+

*183. **Shrimati Parvati Krishnan:**
Shri Bibhuti Mishra:
Shri Kalika Singh:
Sardar Iqbal Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2690 on the 24th April, 1958 and lay a statement showing:

(a) the steps taken so far in connection with the preparations for the 1961 population census, and

(b) the nature of data proposed to be collected through the census?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The Census Commissioner in charge of 1961 population Census has been appointed Steps are also being taken to appoint Superintendents of Census Operations in all States

(b) Preliminary work has been undertaken to clarify concepts and definitions and explore the scope of data to be collected, by reference to Government department, Universities and individual experts

Shrimati Parvathi Krishnan: May I know whether in the figures proposed to be collected, figures of unemployed are also to be included?

Shrimati Alva: That is a tentative proposal before us, which is still to be examined and revised if necessary What the hon Member is suggesting is also within the tentatived proposal

Shri Panigrahi: May I know whether in the census of 1961, the different linguistic groups in the different States will also be enumerated?

Shrimati Alva: Yes, Sir

Shri C. R. Pattabhi Raman: Do Government also contemplate a census of educated unemployed?

Shrimati Alva: That also will be in the tentative proposals

Shri Shivananjappa: May I know whether data regarding every backward class will also be collected?

Shrimati Alva: It was given in a statement given by the Home Minister. Scheduled Castes and Scheduled

Tribes will be included; I think backward classes also will be included.

Shri Jadhav: May I know whether the employment potential of each group in India will be recorded in the census?

Shrimati Alva: That would be considered.

Shrimati Parvathi Krishnan: May I know whether the hon. Minister is going to include figures of national income also?

Shrimati Alva: That is a suggestion for action.

श्री बिभूति मिश्र : मैं यह जानना चाहता हूं कि क्या इस सेंसस मे यह डाटा भी एकत्र किया जायेगा कि प्रत्येक गांव मे कितनी फर्स्ट क्लास, कितनी सर्किड क्लास और और कितनी थर्ड क्लास की जमीन है, तथा प्रत्येक गांव में कितने बाग हैं , कितने तालाब हैं ?

Shrimati Alva: I do not think that would fall into this.

Calcite Deposits in Saurashtra

+

*184. { **Shri D. C. Sharma:** **Shri Bibhuti Mishra:**

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that Calcite deposits have recently been found in Saurashtra;

(b) if so, the places where the deposits have been found; and

(c) the places where the deposits have been found in incessant quantity?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). No, Sir. The Calcite deposits of Saurashtra have been known for some time past. Occurrences are recorded from parts of **Amreli, Bhavnagar, Gondal, Junagadh, Morvi, Nawanagar, Palitana, Porbandar and Wadhwan.**

(c) The reserves of calcite in Saurashtra appear to be large, but no assessment has so far been made.

Shri D. C. Sharma: May I know if any project is in hand for examinng the commercial use of these deposits?

The Minister of Mines and Oil (Shri K. D. Malaviya): Detailed investigations are yet to take place. We are short of personnel and equipment. As soon as the required personnel is available, we hope to complete detailed investigation. Then and then alone the question of commercial use arises.

श्री बिभूति मिश्र : मैं जानना चाहता हूं कि यह जो चूना पाया गया है यह इटली से आने वाले चूने के मुकाबले में कैसा है ?

श्री के० दे० मालवीय : इटली का तो मुझे मालूम नहीं । हां इसकी क्वालिटी बहुत अच्छी समझी जाती है ।

Investment Policy of the Life Insurance Corporation

*185. **Shri Supakar:** Will the Minister of **Finance** be pleased to state:

(a) whether the Life Insurance Corporation has made certain fundamental changes in its investment policy; and

(b) if so, the advantages of the new policy and the date of its coming into force?

The Deputy Minister of Finance (Shrimati Tarakeshwari Sinha): (a) and (b). The Life Insurance Corporation has reviewed its investment policy and made certain recommendations to Government. These recommendations are now under the active consideration of Government.

Shri Supakar: May I know what are these changes? Shall we have an inkling of them?

Shrimati Tarkeshwari Sinha: It seems that after the recommendation of the Chagla Commission and the assurance given by the Prime Minister to review section 27 of the Insurance Act, the Life Insurance Corporation has submitted a recommendation reviewing the whole position, modifying section 27A of the Insurance Act They are under consideration of the Government and then they will be notified in the Official Gazette

Shri Supakar. Is that the only change that is actually to take place?

The Minister of Finance (Shri Morarji Desai): It is not possible to give what changes are recommended till the whole thing is considered After it is considered and a decision is taken, we will report to the House

Shri Prabhat Kar: What are the main features, if not all, of these changes?

Shri Morarji Desai: Nothing can be said until it is properly considered

Shri Bimal Ghose: Loans against mortgages were stopped for sometime May I know if they are again going to be given?

Shri Morarji Desai. I do not know

Shri Khadilkar: It was stated by the former Finance Minister that the policy of the Government was to support the market by purchase of selected scrips Is that policy also altered under the new recommendation?

Shri Morarji Desai: Everything is under consideration

Shri Vajpayee: May I know how long the Government will take to arrive at a final decision?

Shri Morarji Desai: Not very long.

Shri Damani: May I know whether one change in the personnel of the investment committee has taken place and if so, the reason thereof and the present set-up of the committee?

Shri Morarji Desai: Government has made no change

Shri Dasappa: May I know what happened to the idea of the Government about the life insurance fund investment law?

Shri Dasappa: The other day a Bill was placed in our hands Later on, they did not pursue the matter I would like to know what has happened to that

Shri Morarji Desai: That Bill is dead

Gold Smuggling

\+

*186. **Shri Morarka:**
Shri Mohan Swarup:
Shri Kumaran:
Shri Ram Garib:
Shri Kodiyan:
Shri Vajpayee:
Shri Hem Raj:

Will the Minister of **Finance** be pleased to state

(a) whether Government or the Reserve Bank of India have made any estimate of gold smuggling into this country every year,

(b) if so, the countries from which it is smuggled,

(c) the total amount of such gold seized during the last three years, and

(d) the steps that Government have taken to check the same?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) to (d) A statement giving the information is laid on the Table of the Lok Sabha. [*See* Appendix II, annexure No 2].

Shri Morarka: From the statement it appears that during the last 2½ years gold worth about Rs 4 crores have been seized in the anti-smuggling operations As against that, we understand, in one year alone the currency that has gone out of the country and repatriated was about Rs 30 crores May I know whether Government has come to any conclusion as to how gold smuggling on this scale is taking place? May I also know what further action they propose to take to prevent this?

The Minister of Finance (Shri Morarji Desai): The profession of smuggling is as old as creation

Shri Morarka: May I know whether Government has examined the reasons why gold is being smuggled? That is what are the import restrictions and what is the difficulty in the way of the Government in removing those restrictions and making import of gold free?

Shri Morarji Desai: The main reason for smuggling here is that the price of gold in this country is much higher than the price which is internationally obtained

Mr. Speaker: The hon Member wants to know why the import of gold could not be made free

Shri Morarji Desai: That is not possible

Mr. Speaker: I would request hon Members to refrain from asking questions of policy during the Question Hour Allowing free import of gold is a matter of policy

Shri Kodiyan: May I know the number of persons so far arrested and number of cases charged and also the stages of those cases?

Shri B. R. Bhagat: A specific question to that effect may be put

Shri Vajpayee: Is it not a fact that the largest amount of gold-smuggling is through the Rajasthan border? If so, what steps the Government propose to take in that border?

Shri B. R. Bhagat: It is not a fact that the largest amount of smuggling is through the Rajasthan border.

Indian Penal Code

*188. **Shri Kumaran:**
Sardar Iqbal Singh:
Shri Ram Krishan:
Shri Harish Chandra Mathur:

Will the Minister of **Home Affairs** be pleased to state

(a) whether Government's attention has been drawn to Allahabad High Court's full bench decision that Section 124-A of the I P C is unconstitutional and void,

(b) the action taken by Government in the light of this decision, and

(c) whether the State Governments have been advised to regard this Section of the Code as void?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes

(b) The matter had already been referred to the Law Commission before the judgment of the Allahabad High Court and its views are still awaited

(c) There is another decision of the Patna High Court which has taken a view contrary to the aforesaid decision of the Allahabad High Court The matter is essentially judicial and can be settled finally only by the Supreme Court No formal instructions have been issued

Shri Easwara Iyer: In view of the fact that there are conflicting decisions of the High Courts on this point, may I know whether the Government is going to take an authoritative decision from the Supreme Court?

Shri Datar: The Government need not take up this matter. We have referred it to the Law Commission.

Then there are certain observations of the Supreme Court after the first amendment to the Constitution in 1951 where it is stated that what was held in Ramesh Thapar's case is no longer good law after the amendment.

Regional Formula

*189. **Shri Kumaran:** Will the Minister of **Home Affairs** be pleased to state the progress made in the working of the Regional Formula under the Punjab Regional Committees Order, 1957?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The two Regional Committees started functioning with effect from 26th November, 1957. The Regional Committee for the Hindi Region has held eight meetings so far and the Regional Committee for the Punjabi Region four meetings.

Shri Kumaran: May I know whether the Government are aware that the people of the Punjabi-speaking area are dissatisfied with the present working of the Regional Formula and whether it is a fact that some prominent leaders of the Punjabi speaking people have submitted a memorandum to the Home Minister demanding proper and effective implementation of the Formula.

Shri Datar: It might be noticed that only 6 or 7 months have elapsed after these committees have started functioning and it is too early to come to any conclusion about their success or otherwise. So far as I am aware, we have not received any complaints or comments in this respect.

Shri Vajpayee: In view of the fact that there is growing disaffection in the people of Hariyana regarding the Regional Formula, may I know whether there is any proposal to call a Round Table Conference?

Mr. Speaker: All this is suggestion for action. One is an assumption. Government can easily say that there is no disaffection.

Shri Vajpayee: It is a matter of fact.

Mr. Speaker: To the hon. Member it is a matter of fact. It is a matter of opinion to the other side.

Jama Masjid

*190. **Shri Radha Raman:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that the work of renovation of Jama Masjid is progressing slowly;

(b) what was the amount sanctioned by Government and the actual amount already spent; and

(c) when is this work expected to be completed?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

(b) A sum of Rs 69,521 has been spent upto the end of June, 1958 out of the sanctioned sum of Rs. 1,13,800.

(c) By the end of 1960-61

Shri Radha Raman: May I know whether it is a fact that some of the construction work or renovation work that is going on in the Jama Masjid has taken unusually long time and the structure which was erected in order to renovate the dome is standing there for months together and no work is going on?

Shri Humayun Kabir: A work of this type, especially in a place which is also used by people; will in the very nature of things be slow.

Shri Radha Raman: May I know whether it is a fact that the amount which has been allocated for renovation of the Jama Masjid has not been quite sufficient in order to do that work, which was originally taken up in hand, and after this work is finished there will be still more money required for completing that?

Shri Humayun Kabir: The work undertaken is limited to the extent of the provision which was initially made. At present we are thinking of completing four types of work: firstly, filling up the joints facing the three gates; secondly, renovating the disintegrated stone veneers on the south face and western face; thirdly, lime-concreting the terrace and fourthly, renovating the damaged marble veneer of dome and incidental items.

Shri Radha Raman: May I know whether it is a fact that some of the work which has been undertaken, because of the slow progress, is causing greater damage than it was causing without taking up the work in hand and, if so, whether there is any protection against that?

Shri Humayun Kabir: Every effort is being made to carry out the work as expeditiously as possible. There are difficulties, I admit, and I shall look into them further.

श्री भक्त दर्शन माननीय मन्त्री जी ने अभी बताया कि जामा मस्जिद की मरम्मत म कोई बहुत ज्यादा देरी नही हो रही है । मे यह जानना चाहता हू कि यह कार्य कब प्रारम्भ किया गया था ?

Shri Humayun Kabir: In a sense, these particular items of repairs have been taken on hand in 1956, I think, and they will be completed in 1961

Ordnance Factory, Khamaria

*192. **Shri S. M. Banerjee:**
Shri Tangamani:
Shri Ram Krishan:
Sardar Iqbal Singh:
Shri Hem Raj:

Will the Minister of Defence be pleased to refer to the reply given to Starred Question No 2016 on the 6th May, 1958 and state :

(a) whether the report submitted by the Board of Enquiry instituted to enquire into the reported losses and deficiencies in the stores of the Ordnance Factory, Khamaria, has since been examined;

(b) the nature of the report; and

(c) the action taken thereon?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) The report is under examination at present with the Controller of Defence Accounts (Factories) in so far as the verification of losses is concerned. The disciplinary aspect is being pursued separately by the Special Police Establishment and investigations are still in progress Further action will be taken when the Special Police Establishment report is available.

(b) As explained in answer to (a) above, the report is still under scrutiny and it would be premature to comment on its nature and contents The attention of the Hon'ble Member is invited, however, to the statement on the subject laid on the table of the Lok Sabha by the Deputy Defence Minister on the 9th May 1958 which gives a broad indication of the nature of the report.

(c) Certain remedial measures suggested by the Board have already been taken by the D G O F and the factory authorities Final action has, however, been deferred pending receipt of the Special Police Establishment's report

Shri S. M. Banerjee: In reply to one of the questions in the Lok Sabha the Deputy Minister stated that the report of the Board of Inquiry, together with their findings thereof, was received in the Ministry on 30th March 1958 and the report is under examination by Government. May I know when this report is likely to be finalised?

Shri Raghuramaiah: It is very difficult to pin down a date because this covers a period of eight years, *i.e.*, 1949 to 1956 The report is fairly voluminous and naturally it will take some more time.

Shri S. M. Banerjee: May I know whether it is a fact that the Superintendent of this Ordnance Factory, i.e., Khamaria, has tendered his resignation and, if so, has his resignation been accepted?

Shri Raghuramaiah: This is a separate matter. I would like to have notice about it.

Mr. Speaker: How does it arise out of this question?

Shri S. M. Banerjee: He is the man responsible.

Mr. Speaker: Any man may be responsible. The question relates to whether the report submitted by the Board of Enquiry instituted to enquire into the losses of stores of the Ordnance Factory, Khamaria, has since been examined, the nature of the report and the action taken thereon.

Shri S. M. Banerjee: My contention is that the Superintendent, who in my opinion was solely responsible for these losses, is escaping punishment by way of resignation.

Mr. Speaker: But how does it arise out of this question?

Shri S. M. Banerjee: He will be liable for disciplinary action.

Mr. Speaker: We are now on the nature of the report and the action taken thereon. Has the report been finalised?

Shri Raghuramaiah: The examination of the report has not been finalised.

Mr. Speaker: The Board of Enquiry has recommended something and action has to be taken.

Shri Raghuramaiah: In view of the question raised by him, the Special Police Establishment are now investigating exactly into the cause, as to who is responsible and during what period. So, until the report comes it is very difficult to say and it would not be fair to charge any one as being responsible for all these losses and so on. As mentioned in the statement laid on the Table of the House earlier, the whole amount does not represent losses due to individual dereliction of duty.

Shri Tangamani: One man Board of Enquiry, *viz.*, Dr. Kasbekar's Commitee has submitted its report according to the hon. Deputy Minister. May I know whether it gives an indication of the total loss incurred during this period and whether the amount is Rs. 1,75,00,000 or more?

Shri Raghuramaiah: The Board of Enquiry has reported and the amount involved according to that report is estimated to be about Rs. 1,78,00,000. But I made it quite clear in the statement laid on the Table of the House on an earlier occasion that it is an inflated amount and the actual loss is not more than Rs. 80 lakhs.

Shri S. M. Banerjee: My information is that it has been reduced from Rs 1,78,00,000 to Rs. 88 lakhs. I want to confirm whether it is Rs. 88 lakhs or Rs 18 lakhs.

Shri Raghuramaiah: It is Rs. 88 lakhs.

Mr. Speaker: The hon. Member is correct.

Shri S. M. Banerjee: I want to know how this loss has been reduced all of a sudden from Rs. 1,75,00,000 to Rs. 88 lakhs. I feel that after six months it will be nothing.

Shri Raghuramaiah: Actually it is not a loss The estimate given by the Board of Enquiry was found to be inflated by certain circumstances which, on no account, can be regarded as a loss. I shall illustrate it. One of them is a loss like the value of packing cases which waste out of normal use, production losses during the war period and they have included also discrepancies in issues to other factories which have since been reconciled. So, there is no actual loss. It is a question of accounting, production losses and so on. The

actual losses, which could be termed as losses, did not exceed Rs. 88 lakhs, as matters now stand.

Mr. Speaker: What does it matter whether it is Rs. 88 lakhs or it is Rs. 1 crore?

Shri Raghuramaiah: It might be remembered that it covers the whole period 1949 to 1956. The loss which if at all could be due to theft or fraud is Rs. 4 lakhs and it has to be further examined.

Mr. Speaker: Nobody says that the hon. Minister is responsible. The hon. Member is interested in seeing that not even a pie is lost It is not Rs 1 crore but Rs. 88 lakhs. Rs. 88 lakhs is too much for this poor country of ours.

सरदार अ० सि० सहगल : खमरिया आर्डिनस फैक्ट्री के बारे में वहा के एरिया को मंडल कांग्रेस कमेटी के प्रेजीडेंट ने भी एक मेमोरेंडम आपके पास भेजा था । क्या उस मेमोरेंडम को भी बोर्ड आफ इन्क्वायरी के पास भेजा गया है या नहीं ?

Shri Raghuramaiah: I cannot offhand say whether a particular memorandum has been sent to the Board of Enquiry or not. If my hon. friend is interested, I shall find out.

Hindi Teleprinters

\+

*194. { **Shri Bhakt Darshan:** **Shri Naval Prabhakar:**

Will the Minister of **Education** be pleased to refer to the reply given to the Starred Question No. 502 on the 26th February, 1958 and state:

(a) whether the report of the Committee on standardisation of key-board of Hindi teleprinters has since been published;

(b) if so, whether a copy of the report would be laid on the Table; and

(c) the decision taken on the recommendations of the Committee?

The Minister of Education (Dr. K. L. Shrimali): (a) Proof copy has been received and returned to the Press duly vetted. Printed copies are awaited.

(b) A copy of the Report, when printed, will be laid on the Table of the House as already stated in reply to part (b) of Starred Question No. 1059 answered in the Lok Sabha on 12.12.57.

(c) The Report is still under consideration

श्री भक्त दर्शन : श्रीमन्, पिछले लगभग छ सात महीनो से यह रिपोर्ट सरकार के विचाराधीन है । मै जानना चाहता हू कि वे कौन सी विशेष अडचने है जिनकी वजह से निर्णय करने मे इतनी देरी हो रही है ?

डा० का० ला० श्रीमाली : रिपोर्ट इस वक्त मिनस्ट्री आफ ट्रान्सपोर्ट और कम्युनिकेशन्स के पास है और कुछ एक जो टैक्नीकल एस्पैक्ट्स हैं उनकी अच्छी तरह से जाच करनी है । हमने उस मिनिस्ट्री को याद दिलाया है और कहा है कि जितनी जल्दी हो सके वह अपना निर्णय इस पर भेज दे ताकि आगे कार्रवाई हो सके ।

श्री भक्त दर्शन : इस सम्बन्ध में अन्तिम निर्णय करते समय क्या इस बात पर भी ध्यान दिया जा रहा है कि हमारे देश में जहां पाच यूनिट कोड का टैलीप्रिंटर प्रचलित है वहां अन्य देशों मे विशेष कर जापान में छ कोड का टेलीप्रिंटर व्यवहार में लाया जाता है और इस पर ज्यादा अच्छी तरह से सवाद भेजे जा सकते है तथा इसका प्रयोग यहा हो सकता है

डा० का० ला० श्रीमाली : जी हां, यह बात भी कमेटी के सामने थी ।

श्री वाजपेयी : जापान ने एक ऐसा टेलीप्रिंटर बनाया है जिस में हिन्दी और अंग्रेजी में साथ साथ काम हो सकता है। क्या समिति ने उस टेलीप्रिंटर के प्रयुक्त करने के सम्बन्ध में भी विचार किया है ?

डा० का० ला० श्रीमाली मैंने निवेदन किया है कि जापान मे छ यूनिट कोड आफ टेली-कम्युनिकेशन काम म आता है और उसके ऊपर उस एक्सपर्ट कमेटी ने जो कि इस विषय पर विचार करने के लिये नियुक्त की गई थी विचार किया था और वह भी कमेटी के सामने था ।

Pataskar Report

*195. **Shri Thanulingam Nadar**: Will the Minister of **Home Affairs** be pleased to state the nature of steps taken so far to implement the Pataskar report regarding Madras-Andhra Border?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The following steps were taken to implement Shri Pataskar's report on border readjustments between the States of Madras and Andhra Pradesh —

(1) A Committee was appointed by the Southern Zonal Council at its second meeting held at Hyderabad in September 1957 to examine the outstanding issues arising out of the proposed border adjustments

(2) The State Governments were requested in November 1957 to send their proposals regarding the provisions to be made in the bill to be drafted for the purpose The Government of Madras have sent their proposals recently The proposals of the Andhra Pradesh Government are awaited.

Steps will be taken to introduce necessary legislation on receipt of proposals from the Andhra Pradesh Government.

Shri Thanulingam Nadar: May I know whether the Bill will be brought during the next Session?

Shri Datar: We have yet to receive, as I have stated, the reply of the Andhra Pradesh Government Government will then consider this question

Shri C. R. Pattabhi Raman: In view of the state of suspense in the border areas, will the Government consider to expedite the whole matter?

Shri Datar: The Government are trying their best to expedite it

Shri Subbiah Ambalam: Has any time limit been set for the reply of the Andhra Pradesh Government?

Shri Datar: It will not be proper to lay down any time limit because they have to consider certain questions

Shri Nath Pai: The Pataskar formula has given its solution to a very tricky problem Recently, the two Chief Ministers of Bombay and Mysore also met to solve another problem of the same nature regarding the border of Belgaum Is the Government considering to apply that formula?

Shri Datar: The question does not arise

Shri Khadilkar: In view of the fact that persistent demands are made from border areas which are supposed to be in dispute and this formula that was applied for settling disputes between Andhra and Madras has settled it amicably, is Government considering that on the same basis all the border disputes should be settled and the sense of discrimination that is prevailing should be removed?

Mr. Speaker: It does not arise out of this question

Northern Higher Technological Institute, Kanpur

+

*196. **Shri Vajpayee:**
Shri Shivananjappa:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether negotiations between India and the U S A for U.S assistance

for the proposed Northern Higher Technological Institute at Kanpur have been finalised;

(b) if so, the total amount of U.S. assistance; and

(c) the details of the project?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Not yet, Sir.

(b) and (c). Does not arise.

Shri Vajpayee: May I know if the proposed Institute at Kanpur will be different from the one that has been set up in Madras and, if so, in what respect?

Shri Humayun Kabir: It will not be different in the sense that like the Institutes at Kharagpur, Bombay and Madras it will also be an institute of higher technology It may be different if there are certain specialised courses there, but that will depend on the report of the Planning Committee.

Shri S. M. Banerjee: May I know whether only 200 acres of land have been acquired in Kanpur against our requirement of 1200 acres and this 200 acres of land is also disputed land? May I know what is being done by the Government to acquire this land?

Shri Humayun Kabir: The land has to be acquired by the State Government They have undertaken to take immediate steps to acquire 500 acres.

Shri S. M. Banerjee: May I inform the hon. Minister—I come from Kanpur—nothing has been done? He may go there and see.

Mr. Speaker: The hon. Member may move that Government also.

Shri Shivananjappa: May I know how many students are proposed to be trained?

Shri Humayun Kabir: This institute will be of the same pattern as the other Higher Technological Institute. When the Institute is functioning at full strength, there will be 1500 in the Under-graduate course and 500 for the post-graduate and research courses.

Shri S. M. Banerjee: May I know whether the Technological Institute is likely to be completed during the Plan period?

Shri Humayun Kabir: I have already said that I hope it will start functioning in July or August, 1960.

L.I.C. Loans to Hotels

*198. **Shrimati Renu Chakravartty**
Shri Radha Raman:
Shri Ghosal:

Will the Minister of **Finance** be pleased to state:

(a) whether there is any proposal to finance building of hotels by the Life Insurance Corporation; and

(b) if so, what are the conditions under which the Life Insurance Corporation funds will be utilised to finance the hotel industry?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) There is no such proposal at present

(b) Does not arise.

State Bills

*199. **Shri Easwara Iyer:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether there exists any practice or convention for the Central Government to examine the constitutionality or otherwise of the various Bills introduced by the various State Governments in their respective legislatures prior to the introduction of the Bills in the legislature;

(b) whether after giving the Central Government's approval of the

provisions contained in the draft Bills the Central Government had occasion to reconsider the constitutionality of the Bills so approved even if they have been passed without any modification; and

(c) if so, the details of such instances?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) A convention exists under which the State Governments normally consult the Government of India in regard to legislation pertaining to matters in the Concurrent List in the Seventh Schedule to, or attracting the provisions of Articles 31 and 31A of, the Constitution.

(b) The State Governments only consult the Central Government before the introduction of such legislation.

(c) The collection of such details will involve considerable labour and research into past records which would not be commensurate with the results

Shri Easwara Iyer: The Kerala High Court Bill, the draft of which was prepared during the days of the President's rule there has been passed by the Kerala legislature in the form in which it has prepared. I want to know why the Central Government has advised the President to withhold consent?

Shri Datar: There was one Bill which was passed by the Kerala Government after consultation with the Central Government. This was the Kerala High Court Bill, 1957. When it came to the Centre for the assent of the President, it was discovered that certain provisions of the Bill were beyond the competence of the State legislature as they impinge on Entry 78 of the Union List in the Seventh Schedule of the Constitution. Therefore that question was under consideration. This was pointed out to the State Government. They stated that the Bill should be placed before the President as it was. Therefore the matter is under consideration.

Shri Easwara Iyer: That is not my question. The question is whether the draft of the Bill which has been approved by the Central Government was not prepared during the days of the President's Rule and why this discovery was not made on that date.

Shri Datar: The discovery of a matter which is illegal or beyond constitutional provisions can take place at any time.

Shri Easwara Iyer: *Wisdom dawns* later.

Oil Drilling in Sibsagar:

\+

*200. **Shrimati Mafida Ahmed:**
Sardar Iqbal Singh:
Shri Supakar:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that the oil experts deputed by the Oil and Natural Gas Commission have selected Desangmakh in Sibsagar Sub-division as a site of drilling operations; and

(b) if so, whether drilling operations have commenced;

(c) the progress made so far; and

(d) the total estimated reserve of oil there?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) Yes, Sir.

(b) and (c). No, Sir. Preparations for drilling are being made and it is expected that the drilling operations will commence in October next.

(d) This will be known only when the results of drilling are available.

Shri Supakar: May I know if the work of drilling, etc will be done by Oil India Ltd., which has been recently formed?

The Minister of Mines and Oil (Shri K. D. Malaviya): No. Oil India Ltd., has nothing to do with this drilling. The work at Sibsagar is going on under the aegis of the Oil and Natural Gas Commission of the Government of India.

Acquisition of Lands in Nasik

*202. **Shri Jadhav:** Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 449 on the 21st February, 1958 and state the further progress made in the payment of compensation for the land acquired in Nasik District for military purposes between the years 1951 to 1955?

The Deputy Minister of Defence (Sardar Majithia): 12 villages are involved in this matter. Compensation to the extent of Rs. 111,59,987·69 has already been sanctioned by Government. Disbursements on account including *ex gratia* payment is reported to be approximately Rs.. 104 lakhs. Scrutiny by State Government is taking place in regard to certain items yet to be settled. Government have advised the State Government where possible to make payments on account.

This matter is under action and it is hoped will be completed soon. A statement will be laid on the table of the Lok Sabha.

Shri Jadhav: How long will it take to make the final payment? May I know whether it is a fact that the rent of some land is due for the last two years?

Sardar Majithia: As I said, it is difficult to give a date when the final payment will be made because certain cases are going on in court. Until that litigation is settled, it will be difficult for the Government to make the payment.

Shri Jadhav: What about the second part of the question, that rent is due on some of the lands acquired for the last two years?

Sardar Majithia: As I said, so far as the rents are concerned, payments are being made and as you will see, out of Rs. 111 lakhs, Rs. 104 lakhs have already been paid. We are making rapid progress in bringing the payment up to date.

Dr. Sushila Nayar: There are about 12 villages that are being displaced in this case and about 10 or 12 villages are affected in a similar fashion in Babina, and may be there are similar instances in some other places also. Has the Defence Ministry any proposal to work in conjunction with the Housing Ministry so that the provision for rual housing can be utilised and these displaced people can be settled in a proper manner in new houses in model villages?

Sardar Majithia: I do not see how this arises out of the question.

Mr. Speaker: It is a suggestion for action

Rains in Delhi

*203. **Shrimati Renu Chakravartty:**
Shri Sanganna:
Shri Surendranath Dwivedy:
Sardar Iqbal Singh:

Will the Minister of **Home Affairs** be pleased to lay a statement showing:

(a) the extent of damage done to life and property as a result of heavy rains in Delhi on the 21st July, 1958;

(b) the precautions that have been taken by Government to prevent recurrence of such losses; and

(c) the amount of money spent on relief measures necessitated by recent rains?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The Minister of Works, Housing and Supply is placing to-day on the Table of the House the first report of the Committee appointed by the Prime Minister on 23rd July, 1958, for planning measures against floods and

similar calamities in Delhi. This report contains detailed information about:

(a) causes of the recent floods;

(b) areas flooded and the extent of damage to Government property; and

(c) protective measures against floods and heavy rains taken by Government or proposed to be taken.

A statement regarding the extent of damage to life and private property and relief measures necessitated by recent rains is placed on the Table of the House. [*See* Appendix II, annexure No. 3).

Shrimati Renu Chakravartty: In the statement it is stated that there was damage to about 400 old buildings and about 1653 houses were in a dangerous condition and they had to demolish 313 houses. May I know how many of these houses are in the refugee colonies?

Shri Datar: I am not in a position to give that information just now.

Shrimati Renu Chakravartty: It is seen that the only relief given is, a few bamboos have been distributed That is all the relief measure taken May I know whether the houses which have been rendered useless in the refugee colonies are being repaired by the Government?

Shri Datar: The only information at present before me is that the Municipal Corporation has spent Rs 30,000 already on relief measures. Beyond that I have no information.

Dr. Sushila Nayar: Is it a fact that this excess accumulation of water during the rains is very largely due to deffective drainage in Delhi and if that be so, what steps have been taken or are contemplated to be taken to rectify this defect before the next rainy season?

Shri Datar: All these matters will be clear from the report to be placed on the Table of the House.

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि प्रति वर्ष सीवर सिस्टम को साफ करने की योजना बनाने पर भी इस बार बरसात आने से पहले सीवर को साफ नहीं किया गया जिससे बहुत नुकसान हुआ ?

Shri Datar: The statement may make a reference to protective or preventive measures in this respect.

Shri Radha Raman: The hon. Minister just now said that the report will be laid on the Table of the House May I know whether that report will be circulated to the Members and an opportunity will be given to the Members to discuss that report in the House?

Shri Datar: It is between the Minister concerned and yourself.

12.01 hrs.

CORRECTION OF ANSWER TO STARRED QUESTION NO. 183

The Minister of State in the Ministry of Home Affairs (Shri Datar). Before you pass on to the next item may I slightly correct the answer given by my colleague, Shrimati Alva, to a supplementary to Starred Question No. 183?

Mr. Speaker: Today?

Shri Datar: Just now.

There, she stated that the enumeration might cover also the other backward classes. That is not the correct position. In this connection, there was an Unstarred Question, and the hon. Home Minister himself has stated the Government policy. I would invite the attention of the House to that policy. It is this, that a caste would not be enumerated in the next census except in the case of Scheduled Castes and Scheduled Tribes or where it might be necessary for administrative reasons or to meet some statutory obligations.

WRITTEN ANSWERS TO QUESTIONS

Dugda Coal Washery

*181. { Shri T. B. Vittal Rao: Shri Raghunath Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No 524 on the 26th February, 1958 and state:

(a) whether the examination of the tenders for the setting up of a Coal Washery at Dugda has been concluded;

(b) if so, the firm to which the contract has been given;

(c) the estimated cost of the plant; and

(d) when the plant is likely to be commissioned?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The tenders have been examined and a decision is likely to be taken within the next few days.

(c) About Rs. 4 crores

(d) Before the end of 1960

Vigyan Mandirs

*187. **Shri V. P. Nayar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state the progress achieved so far in the dissemination of scientific knowledge through Vigyan Mandirs?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): So far 18 Vigyan Mandirs have been established in the country. Each Vigyan Mandir has set up (1) a Science Club, (2) a Science Museum, (3) a Library and (4) a Laboratory where samples of water and soil are analysed and pathological examination of common diseases are carried out. In addition, talks, discussions and demonstrations are periodically held on popular scientific subjects accompanied with film/film-strip shows.

Central Assistance to States

*191. { Shri Muhammed Elias: Shrimati Renuka Ray: Sardar Iqbal Singh:

Will the Minister of **Finance** be pleased to state:

(a) whether the Ministry of Finance has evolved any new procedure for the release of Central assistance for various schemes in the States; and

(b) if so, the nature thereof?

The Deputy Minister of Finance (Shrimati Tarakeshwari Sinha): (a) Yes, Sir.

(b) A copy of the Ministry of Finance circular letter dated the 12th May, 1958 to the State Governments, outlining the new procedure, is laid on the Table of the House. [*See* Appendix, II, annexure No 4].

Chandraketurgarh Finds

*193. **Shri Tridib Kumar Chaudhuri:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the Archæological Department of the Union Government have carried out any independent survey and investigations of Chandraketurgarh and other archæological sites near about Calcutta where significant finds said to be from the late Maurya and Sunga ages have been found by the archæologists of the Calcutta University attached to the Asutosh Museum; and

(b) if so, whether any report about these sites and the finds has been prepared?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Yes Sir.

Jetty at Trombay

*197. **Shri Assar:** Will the Minister of **Defence** be pleased to state·

(a) whether it is a fact that a Jetty at Trombay meant for civil purposes was acquired by the Defence Department during war,

(b) whether it is a fact that it was decided to construct new Jetty for civil use by fishermen and others,

(c) if so, the reasons for delay in constructing the new Jetty, and

(d) when the construction work of this will be undertaken?

The Deputy Minister of Defence (Shri Raghuramaiah) (a) Yes, Sir

(b) No, Sir

(c) Does not arise

(d) Does not arise

Indian Bureau of Mines Laboratory

*201 **Shri Biren Roy** Will the Minister of **Steel, Mines and Fuel** be pleased to state

(a) whether it is a fact that instruments and machines obtained for the establishment of Indian Bureau of Mines Laboratory are lying in the compound of Shri Ram Institute, Delhi,

(b) if so, the nature and present condition of the equipment,

(c) how much of foreign exchange was utilised for the purchase of this equipment,

(d) when it is going to be used; and

(e) the reasons for the delay in setting up of the Laboratory?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Only a part of the heavy machinery for the ore dressing pilot plant of the Indian Bureau of Mines has been stored in the compound of Sri Ram Institute building, Delhi where the laboratory of Indian Bureau of Mines is located.

(b) This equipment which constitutes Ore Dressing Pilot Plant is being checked periodically and is in perfect order

(c) Rs 41,000 foreign exchange was spent besides equipment worth Rs 5,50,000 received under Operational Agreement No 20 under Indo-U S Technical Co-operation Programme

(d) All this pilot plant equipment will be put into commission at Nagpur in the near future

(e) The laboratory has already been set up, but the pilot plant equipment could not be put into commission for want of adequate and suitable space

Oil Drilling near Bathukhad

*204 **Shri Hem Raj:** Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No 2113 on 9th May, 1958 and state the progress made in the structural drilling undertaken near Bathukhad?

The Minister of Mines and Oil (Shri K D. Malaviya): Structural drilling undertaken near Bathukhad had reached a depth of 147 metres (485 ft) by the 8th August, 1958

Technical Assistance from UNESCO

*205. **Shri Subodh Hansda·** Will the Minister of **Education** be pleased to state

(a) whether the expanded programme of technical assistance by UNESCO will be continued in 1958-59, and

(b) if so, how many new Laboratories in research institutions have been recommended for assistance under this programme?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir

(b) Two

Free and Compulsory Primary Education

*206. **Shri Ram Krishan:**
Shri D. C. Sharma:
Sardar Iqbal Singh:
Shri S. M. Banerjee:

Will the Minister of **Education** be pleased to state:

(a) steps taken by the Central Government for the introduction of free and compulsory primary education in selected areas in the country;

(b) the places where it has been introduced; and

(c) the time by which it will be introduced in whole of India?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). Education at the primary stage is free in most places all over the country. Also, compulsory primary education has already been introduced in some areas in all the States excepting Jammu & Kashmir and also in Delhi among the Union Territories.

(c) It is hoped that it will be possible to introduce free and compulsory primary education for ages 6-11 in the whole of India by the end of the Third Five Year Plan.

Rourkela Fertilizer Plant

*207. **Shri T. B. Vittal Rao:** Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 396 on the 21st February, 1958 and state:

(a) whether any orders have since been placed for supply of plant and machinery for the Fertiliser Plant at Rourkela;

(b) if so, when the work on this will commence: and

(c) if not, the reasons for the delay?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir;

(b) and (c). Tenders for the Fertilizer Plant at Rourkela have been received and are under scrutiny of a Technical Committee. A final decision regarding placement of order is expected to be taken shortly.

Recession in U.S. Economy

*208. **Shrimati Parvathi Krishnan:**
Shri Damani:

Will the Minister of **Finance** be pleased to state:

(a) whether the Government of India have made any appraisal of the effects of the recession in U.S. Economy on India's economy;

(b) if so, what are the conclusions reached; and

(c) what steps Government propose to take to meet the situation?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Our export earnings have been adversely affected. For the period January-May 1958, these earnings were lower by Rs. 28 crores as compared to the corresponding period of 1957. There was a decline of Rs. 2·5 crores in the exports to the dollar area and of Rs. 25·5 crores to the rest of the world. A large part of this latter decline was due to special factors, such as the earlier overstocking in the case of tea in the U.K. But, the recessionary trends abroad have reacted adversely on our exports of manganese ore, pepper, etc.

(c) Every effort is being made to step up our exports as part of the overall problem of reducing the foreign exchange gap.

Study of South Indian Languages

*209. **Shri D. C. Sharma:** Will the Minister of **Education** be pleased to state:

(a) how many Universities in North India have established departments for the study of some South Indian languages: and

(b) the names of Universities which have not set up such departments so far?

The Education Minister (Dr. K. L. Shrimali): (a) and (b). None of the Universities in North India has established departments for the study of some South Indian languages so far.

S.U.N.F.E.D.

*210. **Sardar Iqbal Singh:**
Shri Ram Krishan :
Shri D. C. Sharma:

Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 1594 on the 10th April, 1958 and state further progress made by the Preparatory Committee towards the finalisation of the organisational frame-work of a Special United Nations Fund for Economic Development?

The Deputy Minister of Finance (Shri B. R. Bhagat): The Preparatory Committee submitted its report and recommendations on the Special Fund to the Economic and Social council at its 26th Session beginning 1st July 1958. The ECOSOC will now transmit the report, with its comments, to the United Nations General Assembly at its 13th Session for final action.

Southern Zonal Council

*211. **Shri Kumaran:**
Shri N. R. Munisamy:
Shri Kodiyan:
Sardar Iqbal Singh:

Will the Minister of **Home Affairs** be pleased to lay a statement showing:

(a) whether a meeting of the Southern Zonal Council was held in June, 1958; and

(b) if so, the main subjects discussed and conclusions arrived at?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Yes.

(b) A statement showing the main items discussed and decisions taken thereon by the Council is laid on the Table on the House. [See Appendix II, annexure No. 5].

Separation of Delhi-Punjab Police Cadre

*212. **Shri Radha Raman:**
Shri D. C. Sharma:
Sardar Iqbal Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether there is any proposal for the separation of Joint Delhi-Punjab Police Cadre in respect of Upper Subordinates;

(b) if so, the details of the proposal and whether any date has been fixed for its implementation; and

(c) the reasons that have led to such a proposal?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The proposal is under examination.

(c) The proposal is being considered in the interest of administrative efficiency.

प्रधान प्रतिरक्षा कार्यालय, नई दिल्ली

*२१३. श्री भक्त दर्शन :
श्री रामेश्वर टांटिया :

क्या प्रतिरक्षा मंत्री १७ जुलाई, १९५७ के तारांकित प्रश्न संख्या ११७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली में प्रधान प्रतिरक्षा कार्यालय के नये भवनों के निर्माण के बारे में इस बीच क्या प्रगति हुई है ;

(ख) उसके लिये कौनसा स्थान चुना गया है ; और

(ग) उस पर कुल कितना धन व्यय होने का अनुमान है ?

प्रतिरक्षा उपमंत्री (श्री रघुरामैया) : (क) कुछ नहीं ।

(ख) अभी तक कोई स्थान नहीं चुना गया, यद्यपि कुछ स्थानों का सुझाव दिया गया था उन्हें दिल्ली डिवेलपमेंट अथारिटी की अनुमति प्राप्त नहीं हुई ।

(ग) प्रश्न नहीं उठता ।

Coal Production in Public Sector

*214. **Shri V. C. Shukla**: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that a target of three million tons of coal production in public sector has been set for Bisrampur-Korea Coal-fields in the Second Five Year Plan;

(b) what specific steps have already been taken to achieve this target; and

(c) whether this target is likely to be achieved within the plan period?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A target of 3 million tons was set for the Bisrampur-Korea coalfields originally. According to the latest assessment, in the light of changed circumstances, only Korea is expected to produce ·5 million tons during the current plan period

(b) Preliminary work, such as acquisition of land, drilling, preparation of layout plans and ordering of machinery has been undertaken.

(c) The target of :5 million tons in the case of Korea is expected to be achieved within the Plan period. Production from the Bisrampur field will be available in the early years of the Third Plan, to synchronise with the availability of the Railway line from Bijouri to Karonji.

Separation of Audit from Accounts

*215. **Shri Harish Chandra Mathur**: Will the Minister of **Finance** be pleased to state:

(a) whether Government have revised their decision regarding the separation of the audit and accounts;

(b) whether State Governments have been consulted in the matter;

(c) the nature of the decision, if any, arrived at; and

(d) if no decision has been taken at what stage of consideration the matter rests?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) to (d) The scheme of separation of audit from accounts is at present, in operation at the Centre only and in respect of transactions relating to Supply, Food, Rehabilitation, Stationery and Printing, Rajya Sabha and Lok Sabha. The working of the scheme, the feasibility of extension to other transactions and the consequential financial implications are under examination of Government in consultation with the Comptroller & Auditor General. Pending such a review which is likely to take some time, the scheme is not being extended further

Election Petition

*216 { **Shri Ram Krishan:**
Shri Damani:
Shri D. C. Sharma:
Shri Bhakt Darshan:
Shri Rameshwar Tantia:
Shri Bibhuti Mishra:
Shri Pangarkar:
Shri Hem Raj:

Will the Minister of **Law** be pleased to refer to the reply given to Unstarred Question No. 2440 on the 15th April, 1958 and lay on the Table a statement showing:

(a) the number of election petitions for the Lok Sabha and State Legislative Assemblies disposed of so far (State-wise);

(b) the number of election petitions still pending with the Election Tribunals, High Courts and the Supreme Court (separately);

(c) the number of election petitions disposed of within six months by the Election Tribunals and High Courts (State-wise); and

(d) the number of elections declared null and void up to 31st July, 1958?

The Deputy Minister of Law (Shri Hajarnavis): A statement is laid on the Table [*See* Appendix II, annexure No. 6).

Loan to Singareni Collieries

*217. { **Shri T. B. Vittal Rao:** **Shri Damani:**

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 1782 on the 28th March, 1958 and state:

(a) whether consultations with the Andhra Pradesh Government regarding grant of assistance for the development of Singareni Collieries have since been concluded;

(b) if so, the nature of the decision arrived at; and

(c) the total amount paid to the collieries up-to-date?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). A decision has since been taken that the Centre will not insist on a controlling interest in the finances and management of the company. The exact details of the arrangements to be entered into are awaiting further discussion with the Andhra Pradesh Government. These are expected to be finalised shortly.

(c) Pending settlement of the terms and conditions of the Centre's participation in the development of the collieries, a loan of Rs. 10 lakhs has been made to the company. This was in 1957.

Birth Centenary of Rabindranath Tagore

*218. { **Shri D. C. Sharma:** **Shri Radha Raman:**

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the nature of contribution the Government of India is going to make towards the celebration of the Birth Centenary of Rabindranath Tagore; and

(b) the programme that has been finalised in this connection?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The matter is under consideration.

सवाई माधोपुर में लोहे की खानें

४४०. **श्री मोहन स्वरूप :** क्या इस्पात, खान और इंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सवाई माधोपुर, राजस्थान के वीली कस्बे में पहाड़ पर लोहे की एक खान निकली है ; और

(ख) यदि हा, तो उस खान मे कितना लोहा मिलने का अनुमान है और उसके निकालने के लिये सरकार ने क्या प्रबन्ध किया है ?

खान तथा तेल मंत्री (श्री के० डे० मालवीय) : (क) जी नही ।

(ख) प्रश्न नही उठता ।

Income-Tax from Bihar

441. Shri Anirudh Sinha: Will the Minister of **Finance** be pleased to state:

(a) the amount of income-tax realised district-wise in State of Bihar

during the years 1955-56, 1956-57 and 1957-58; and

(b) the amount for which assessment had been finalised but still remains to be realised as on the 31st March, 1958?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The information is not readily available and is being collected. A statement giving the information will be laid on the Table of the House as early as possible

L.I.C. Investments

442. Shri Anirudh Sinha: Will the Minister of **Finance** be pleased to state:

(a) the total amount of investments made by the Life Insurance Corporation in Government securities, shares, loan debentures, etc, since its inception upto the 30th June, 1958;

(b) the total investment of funds in the approved security of Government or semi-Government bodies upto the same period, and

(c) the total investment in industries in the private sector upto the 31st July, 1958?

The Minister of Finance (Shri Morarji Desai): (a) Rs. 67,34,70,184.

(b) Rs. 51,02,18,195.

(c) Rs. 17,42,13,559

'Ordnance Factory News'

443. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) the total amount sanctioned during 1957-58 and 1958-59 for the publication of "Ordnance Factory News";

(b) the number of staff working on this publication; and

(c) its monthly circulation?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) Rs. 28,000 per annum, approximately.

(b) One Assistant Editor.

(c) 13,500 approximately.

Income Tax

444. Shri Vajpayee: Will the Minister of **Finance** be pleased to state:

(a) what was the amount of income-tax assessed and collected in the districts of Lucknow and Gonda in Uttar Pradesh separately from 1952-53 to 1957-58 (year-wise); and

(b) the amounts realised from persons falling under various income groups during this period?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The information is being collected and a statement giving the information will be laid on the Table of the House as early as possible.

Emoluments of Government Servants

445. Shri Vajpayee: Will the Minister of **Home Affairs** be pleased to state the number of officers in the Central Services (Ministry-wise) whose monthly emoluments are more than Rs 2,000?

The Minister in the Ministry of Home Affairs (Shri Datar): The information is being collected and will be placed on the Table of the House as soon as it is available.

Elephanta Caves

446. Shri Pangarkar: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent on the maintenance of the Elephanta Caves near Bombay during 1957-58; and

(b) the amount proposed to be spent during 1958-59?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Rs. 1,06,000.

(b) Rs. 14,100.

Janata Policies

447. Shri Pangarkar: Will the Minister of **Finance** be pleased to state:

(a) the number and value of Janata policies of the Life Insurance Corporation of India that have been issued during 1958-59 so far; and

(b) the steps that are being taken to step up their number?

The Minister of Finance (Shri Morarji Desai): (a) The total number and value of Janata Policies sold by the Life Insurance Corporation of India during the period from 1st January, 1958 to the 14th July, 1958 were 9,340 and Rs. 60,36,732 respectively.

(b) The Corporation has under active consideration the question of extension of the Janata Policy Scheme on a country-wide basis. An evaluation of the experience gained so far and the data relating to the working of the project in the various centres in the different Zones till the end of May 1958 is already being made by the Zonal Managers.

Smuggling

448. Shri Pangarkar: Will the Minister of **Finance** be pleased to state:

(a) the value of smuggled goods seized by the Customs authorities on Indo-Pakistan border during 1957-58 still lying in godowns; and

(b) the value of goods disposed of?

The Minister of Finance (Shri Morarji Desai): (a) Rs. 41,71,350.

(b) Rs. 28,35,617.

Export Duties

449. Shri Damani: Will the Minister of **Finance** be pleased to state:

(a) how far the recent reduction or abolition of export duties will affect the revenues of Government; and

(b) what schemes or methods are contemplated to bridge the gap in revenues?

The Minister of Finance (Shri Morarji Desai): (a) The reference is presumably to the abolition of export duties effected in July, on certain oilseeds *e.g.* groundnut, and vegetable oils *e.g.* castor oil. On recent export trends in these commodities, the financial effect of the abolition of the duties is estimated to be of the order of about Rs. 50 lakhs per annum. This figure could, however, only be a notional one, at any rate in part, as but for the abolition of duties exports would be substantially less.

(b) In the context of the total Customs revenue the loss is not significant. However, Government will take such steps as may be necessary at the appropriate time to bridge this and other gaps.

Scheduled Castes and Scheduled Tribes

450. Shri Siddiah: Will the Minister of **Home Affairs** be pleased to refer to the reply given to the Unstarred Question No. 2879 on the 28th April, 1958 and state:

(a) the target achieved in each State and Union Territory under each of the Centrally Sponsored Schemes for ameliorating the conditions of Scheduled Castes and Other Backward Classes and the amount spent from the commencement of the Second Five Year Plan upto 31st March, 1958; and

(b) the names of the training centres set up in each State and Union Territory to train candidates belonging to Scheduled Castes and Scheduled Tribes in various crafts and the number of persons trained so far?

The Deputy Minister of Home Affairs (Shrimati Violet Alva): (a) and (b). A statement showing the targets achieved under each of the Centrally sponsored schemes for Scheduled Castes for the year 1956-57 is laid on the Table of the House. [*See* Appendix II, annexure No. 7.] Progress reports for 1957-58 have not been received from a number of

States. The rest of the information will, accordingly, be laid on the Table of the House as soon as received.

The position in regard to the Other Backward Classes is still the same as mentioned in the reply given to the Unstarred Question No. 2879.

Welfare of Scheduled Castes and Scheduled Tribes

451. Shri Siddiah: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No 1311 on the 28th March, 1958, and state how far the recommendations made by the State Ministers' Conference held in Delhi on the 15th and 16th February, 1958 have been implemented in each State and Union Territory so far?

The Deputy Minister of Home Affairs (Shrimati Violet Alva): The required information has not yet been received from all the State Government and Union Territories The States and Territories from which it is still awaited have been reminded Complete information will be laid on the Table of the House as soon as received

Income Tax Cases

452. Shri Abdul Salam: Will the Minister of **Finance** be pleased to state:

(a) the number of income-tax cases admitted in the Madras High Court and Tribunal since 1954,

(b) the number of cases disposed of up-till now;

(c) how many of the cases have been settled outside the Court; and

(d) the steps Government propose to take to dispose of the cases quickly?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The information called for is not readily available and will be laid on the Table of the House as soon as possible.

(d) (i) So far as cases before the High Courts are concerned, the matter is under Government's consideration.

(ii) As regards cases pending before the Appellate Tribunal, an additional Bench of the Tribunal has been working at Madras since October 1957 and it is hoped that the arrears will be cleared soon.

Taxation Enquiry Commission

453. Shri Shree Narayan Das: Will the Minister of **Finance** be pleased to state:

(a) whether the Government of India have considered the recommendation No 41 of the Taxation Enquiry Commission (Vol III) regarding the feasibility of extending the stamp duties to sea insurance policies; and

(b) if so, with what result?

The Minister of Finance (Shri Morarji Desai): (a) and (b) The matter has been considered According to Section 18 read with Section 3(c) of the Indian Stamp Act, a sea insurance policy, though executed out of India, must be stamped, if it "relates to any property situate, or to any matter or thing done or to be done in India and is received in India". The question of inserting any new provision in the Stamp Act does not, therefore, arise.

Technical Education Schemes of Punjab

454. Shri Ram Krishan: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to reply given to Unstarred Question No 1789 on the 28th March, 1958 and state:

(a) the details of the eight schemes of Technical Education of Punjab State approved by the All India Council for Technical Education;

(b) whether the remaining three schemes have also been approved; and

(c) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 8.]

Punjab's Demand of Iron, Steel and Coal

455. Shri Ram Krishan: Will the Minister of **Steel, Mines and Fuel** be pleased to state

(a) the demand for iron, steel and coal of the State Government of Punjab in 1957-58,

(b) the quantity allotted during the said period, and

(c) the quantity lifted by the State from the allotted quota?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c) A statement furnishing the requisite information is given below

	Demand	Allotment/Quota	Despatches
	(Tons)	(Tons)	(Tons)
Coal*	(complete information is not available)	1,058,904	843,827
Steel	101,358	43,983	21,539
Pig Iron	135,862	13,765	Not available

*Figures are in respect of industries under the control of the Punjab Government and are approximate

Ajanta Caves

456 Shri Ram Krishan: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state

(a) the amount spent on the maintenance of Ajanta Caves during 1957-58, and

(b) the amount proposed to be spent during 1958-59?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir). (a) Rs 25,885 90

(b) Rs 24,000

Punjab High Court

457. { Shri Ram Krishan: Sardar Iqbal Singh:

Will the Minister of **Home Affairs** be pleased to state

(a) the number of writ petitions filed in Punjab High Court since 1st April, 1957,

(b) the number of writ petitions for the above period still pending for disposal, and

(c) the reasons therefor?

The Minister of Home Affairs (Pandit G. B. Pant): (a) to (c) The information is being collected and will be laid on the Table of the Lok Sabha

Delhi University Science Classes

458. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state

(a) the efforts made by the University of Delhi to increase the number of admissions to the science classes, and

(b) the maximum number of students admitted this year to the science classes in the Delhi University?

The Minister of Education (Dr. K. L. Shrimali) (a) The University Grants Commission has permitted the University of Delhi to increase admissions to its B Sc (Hons) courses in Physics and Chemistry upto 25 per cent of their sanctioned strength pending detailed scrutiny of the University's proposals in this behalf by the Visiting Committee of the Commission Admissions to other science courses have also been increased by the University

(b) 710

Teachers in Affiliated Colleges

459. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the amount so far paid by the University Grants Commission for upgrading the salary of teachers in affiliated colleges in the country; and

(b) the extent of co-operation received in this regard from the Universities and State Governments?

The Minister of Education (Dr. K. L. Shrimali): (a) Rs. 6,11,025.00

(b) So far only the State Government of West Bengal have agreed to share the increased expenditure to the extent of 50 per cent. and 25 per cent. of upgrading the salary scales of teachers of Men's and Women's colleges respectively in the case of those colleges of the Calcutta University where the enrolment is below 1000 or which have submitted concrete schemes to the State Government for phased reduction. No University has yet indicated its willingness to share the expenditure involved.

Central Food Technological Research Institute

460. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) how many of the products produced by the Central Food Technological Research Institute, Mysore, during 1958 have been commercialised so far; and

(b) the number in which the right of manufacture of those products has been given to private bodies or persons?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No process developed at the Central Food Technological Research Institute, Mysore, during the year 1958, has yet been commercialised.

(b) Does not arise.

Petroleum Deposits in Muradpur

461. Shri D. C. Sharma: Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 403 on the 21st February, 1958 and state the further progress made in regard to the survey of petroleum deposits near Muradpur in Kashmir State?

The Minister of Mines and Oil (Shri K. D. Malaviya): Geological mapping of the structure in the Jammu Province was continued and various reported Oil seepages were examined. The results of the surveys are being computed.

Special Life Insurance Agents

462. Shri Damani: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that special agents of previous Insurance companies have been placed as ordinary agents under inspectors after the 1st September, 1956 in the Life Insurance Corporation; and

(b) if so, what criteria has been kept in mind?

The Minister of Finance (Shri Morarji Desai): (a) No, not in all cases.

(b) Their performance in the past has been taken into account in placing them in various capacities, *viz.* salaried appointments, direct agents or ordinary agents under field officers, with the exception of those who were either benamis or firms, societies or companies in which cases their agencies were not continued.

Indian Educational Service

463. Shri D. C. Sharma:
Shri Sanganna:
Dr. Ram Subhag Singh:
Shri Shivananjappa:
Shri Supakar:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 520 on the 26th February, 1958 and state:

(a) how far Government have progressed towards establishment of an

Indian Educational Service; and

(b) whether the opinions of different States have since been ascertained in the matter?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The State Governments were addressed in January, 1958 in the matter. Only five of them have sent final replies. The replies of the remaining State Governments are awaited.

UNESCO Aid

464. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the amount of aid received from UNESCO during the current financial year; and

(b) the projects for which the aid has been given?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement is laid on the Table of the Sabha [*See* Appendix II, annexure No. 9]

Advisory Committee for Libraries

465. Shri Supakar: Will the Minister of **Education** be pleased to lay a statement on the Table showing:

(a) the principal recommendations of the Advisory Committee for Libraries;

(b) whether the report has been published; and

(c) the number of recommendations implemented so far?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The Advisory Committee for Libraries has not yet submitted its report.

(c) Does not arise.

Kerala Education Bill

466. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 998 on the 17th March, 1958 and state:

(a) whether the assent of the President has been obtained to the Kerala Education Bill, 1957; and

(b) if not, the reasons therefor?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) The Kerala Education Bill, 1957, has been sent back to the Governor of Kerala with a directive from the President under the proviso to article 201 of the Constitution to return the Bill to the State Legislature for reconsideration in the light of the Supreme Court's opinion.

Delhi Schools

467. Shri D. C. Shrama: Will the Minister of **Education** be pleased to state:

(a) the number of Government aided private schools in Delhi and New Delhi, which are being run at present in tents or other temporary structures;

(b) the number of primary schools among them; and

(c) the number of students studying in these schools?

The Minister of Education (Dr. K. L. Shrimali): (a) 19.

(b) 4.

(c) 7738.

Circus

468. Shri Kodiyan: Will the Minister of **Education** be pleased to state:

(a) whether Government have received any representation from the circus organisations of the country for assistance and encouragement of circus; and

(b) if so, what action Government propose to take in this connection?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir A representation has been received from Shri A K Damodaran, President, All India Circus Owners' Association

(b) The following suggestions were made in the representation;

(i) Exemption of circus from the payment of entertainment tax

(ii) Special train facilities at reasonable rates for the movement of circus outfits

(iii) Scientific breeding by zoos all over India of circus animals and facilities for their purchase at cheap rates by circus companies

(iv) Establishment of an institution for training circus personnel

(v) Recognition of circus as a cultural activity and institution of awards and other means for the encouragement of circus as a cultural activity

The following action has been taken on items (i) to (v) above

(i) The Association was informed that the question of exemption from entertainment tax was the concern of the State Governments

(ii) The Ministry of Railways, who were concerned, have stated that this request could not be agreed to in view of the prevailing difficult conditions of transport

(iii) Shri Damodaran, President of the All India Circus Owners' Association was requested by the Secretary, Indian Board of Wild Life, to submit a suitable note to the Zoo Wing of the Board for their consideration regarding the scientific breeding of circus animals by zoos He has, however, taken no action in the matter

(iv) The circus is an Entertainment industry and it is felt that the industry itself should, if necessary, establish an institution for training such personnel

(v) The Sangeet Natak Akadami to whom the suggestion regarding the recognition of the circus as a cultural activity was forwarded have stated that circus is not an Aesthetic activity and therefore they could not recognise it as a cultural activity In view of the above decision of the Executive Board of the Sangeet Natak Akadami, the question of the institution of awards does not arise

Nuclear Science

469 { **Sardar Iqbal Singh:** / **Shri Ram Krishan:**

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state

(a) whether there is any proposal to introduce courses in nuclear science and nuclear engineering in some Universities, and

(b) if so, names of such Universities?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b) Some aspects of Nuclear Theory form part of advanced courses in Physics in all Universities In addition, Andhra, Delhi and Aligarh Muslim Universities have instituted special papers in Nuclear Science in M Sc courses University of Roorkee has submitted a scheme to the University Grants Commission for conducting courses in Nuclear Science and Nuclear Engineering

Indian Council for Cultural Relations

470. { **Sardar Iqbal Singh:** / **Shri Ram Krishan:**

Will the Minister of **Education** be pleased to state

(a) whether the Indian Council for Cultural Relations has decided to set up chairs in the memory of Maulana Abul Kalam Azad, and

(b) If so, the details of this scheme?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes Sir.

(b) Negotiations are in hand for the establishment of two chairs, one in West Asia and the other in East Asia. Whether one or two chairs will be established will depend on the results of the negotiations. In view of the difficulties of foreign exchange etc. and the time needed for the completion of formalities it may not however, be possible to set up the chair or chairs during the current year.

War Memorials

471. **Sardar Iqbal Singh:**
Shri Ram Krishan:

Will the Minister of **Defence** be pleased to state:

(a) the names of the places in India where memorials were constructed in memory of those soldiers who laid down their lives in the Second World War and their nature; and

(b) the name of the places where Government propose to construct such memorials and their nature?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). The Government of India have not constructed any memorials in memory of the soldiers who laid down their lives in the Second World War nor do they have proposals under their consideration for constructing any such memorials

The Imperial War Graves Commission have, however, constructed a few such memorials in India and also propose to construct some more. Required information relating to these is laid on the Table of the Lok Sabha. [*See* Appendix II, annexure No. 10.]

Monuments and memorials other than those mentioned above, such as the memorial at Meerut have been erected by Regiments from their regimental funds and by private bodies, in several stations in India, but no records are held by Government in respect of such monuments.

Jet Aircraft for Auxiliary Air Force

472. **Sardar Iqbal Singh:**
Shri Ram Krishan:

Will the Minister of **Defence** be pleased to state the names of the Auxiliary Air Force Squadrons to which Government propose to provide jet aircraft?

The Deputy Minister of Defence (Sardar Majithia): No. 51 (Delhi) Auxiliary Air Force Squadron, in the first instance

Excavation at Babor

473. **Sardar Iqbal Singh:**
Shri Ram Krishan:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether excavations were carried out at Babor, old capital of Dogra rulers of Jammu, and

(b) if so, with what results?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir

(b) Does not arise

Government Construction work

474. **Sardar Iqbal Singh:**
Shri Ram Krishan:

Will the Minister of **Finance** be pleased to state:

(a) whether the review regarding the proposed construction works of each Ministry which are not urgently required has been completed for the year 1958-59; and

(b) if so, the cost of various buildings, the construction of which has been stopped by each Ministry, separately?

The Minister of Finance (Shri Morarji Desai): (a) Attention is invited to the reply given to part (c) of Starred Question No. 1577 on the 10th

April, 1958 wherein it was stated that in future each work was to be examined on its merits and would be allowed to be taken up after its essentiality had been fully established. There has, therefore, been no general review in this behalf for the year 1958-59.

(b) Does not arise.

Indian Students in Foreign Countries

475. { **Sardar Iqbal Singh:** / **Shri Ram Krishan:**

Will the Minister of **Education** be pleased to state:

(a) the number of Indian students at present studying in the Foreign Countries in each country separately; and

(b) how many of them went to these countries during the 1955-56, 1956-57 and 1957-58?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement giving the available information is placed on the Table of the Lok Sabha. [*See* Appendix II, annexure No. 11).

Bhatinda Fort in Punjab

476. { **Sardar Iqbal Singh:** / **Shri Ram Krishan:**

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state.

(a) whether it is a fact that the Bhatinda Fort in Punjab State is in a dilapidated condition; and

(b) if so, what steps Government propose to take in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Some parts of the Fort suffered damages due to an earth quake for heavy monsoon in 1956 and apart from annual repairs, some special repairs have been taken in hand.

University of Punjab

477. { **Sardar Iqbal Singh:** / **Shri Ram Krishan:**

Will the Minister of **Education** be pleased to state the amount of money given as grants to the University of Punjab by the University Grants Commission during the years 1955-56, 1956-57 and 1957-58?

The Minister of Education (Dr. K. L. Shrimali): 1955-56 Nil.
1956-57 Rs 5,48,256.00
1957-58 Rs. 11,30,611.00

I.A.F. Accident

478 **Shri D C. Sharma:** Will the Minister of **Defence** be pleased to state:

(a) the number of Indian Air Force aircrafts which met with serious accidents during 1958 (upto the 31st July, 1958);

(b) whether Government have enquired into the causes of each accident;

(c) if so, the main causes of such accidents; and

(d) the efforts made to check their recurrence?

The Deputy Minister of Defence (Sardar Majithia): (a) It is not in the public interest to give out this information.

(b) Enquiries are ordered in all cases of accidents and then reports considered by Air Headquarters.

(c) Mainly slight errors of judgment arising from the human factor in all aviation.

(d) There are, no fresh preventive measures which may be adopted, and all accidents avoided. Every effort, however, is being made to minimize the recurrence of such accidents.

Indo-Pakistan Police Officers Meeting

479. **Shri D. C. Sharma:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the Police Officers of India and Pakistan met on the Wagah border on the 5th June, 1958 to evolve methods to curb smuggling; and

(b) if so, the decisions taken thereat?

The Minister of Finance (Shri Morarji Desai): (a) The Police Officers of India and Pakistan met on the Wagah border on the 5th June, 1958 but this was one of the usual meetings held every month to discuss proposals to prevent border incidents, raids etc No meeting was held particularly to evolve methods to curb smuggling

(b) Does not arise

Tagore's Ancestral Home

480. **Shri D. C. Sharma:**
Sardar Iqbal Singh:
Shri Ram Krishan:
Shri Radha Raman:
Shri Vajpayee:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No 1414 on the 2nd April, 1958, and state·

(a) the further steps taken to declare the ancestral home of the poet Rabindranath Tagore at Jorasanko, Calcutta as a national monument; and

(b) the nature of the proposal formed by the Tagore Centenary Celebration Committee in this regard?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a). A part of the Tagore House at Jorasanko, Calcutta has been acquired by the Government of West Bengal, at the request of the 'Rabindra Bharati", a society established for the purpose of erecting a suitable memorial to the late Poet. The land and buildings so acquired are now being utilised by the "Rabindra Bharati" and by the State Government for constructing an Academy of Dance, Drama and Music

(b) The Committee recommended that the Tagore ancestral house in Calcutta should be preserved and maintained as a national memorial by the West Bengal Government.

Education Board

481. **Shri Damani:**
Sardar Iqbal Singh:

Will the Minister of **Education** be pleased to state

(a) whether it is a fact that an education board namely "the Central Board of Higher Education" is functioning in Delhi for several years and is holding unauthorised examinations; and

(b) if so, what action Government are taking against this and other institutions of this type?

The Minister of Education (Dr. K. L Shrimali): (a) Yes, Sir

(b) The general public have been warned from time to time against the activities of such institutions through Press Notes. It has been suggested to the State Governments and Administrations that the most effective way of dealing with these anti-social elements would be for the local police to be on the look-out for the activities of such elements and to take effective and speedy action under the Criminal Law wherever possible.

Purchase of Steel at Controlled Rates

482. **Shri V. P. Nayar:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Government of India is giving quotas for the different states for purchase of steel at controlled rates; and

(b) what are the allotments for the various States for the current year?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh) (a) Yes, Sir.

(b) A statement showing the allotments to the various States for the first two Quarters of 1958-59 is laid on the Table of the House. [*See* Appendix II, annexure No. 12.] Allotments for the remaining two periods have not yet been made.

Seminar on Child Welfare

483. **Shri Radha Raman**: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a National Seminar on Child Welfare was held in Delhi in the month of April, 1958;

(b) whether any report of the Seminar or recommendations it made in regard to the setting up of a Commission on Child Welfare has been received by Government; and

(c) if so, the action taken thereon?

The Minister of Education (Dr. K. L Shrimali): (a) Yes, Sir.

(b) Yes, Sir.

(c) The Government have not accepted the recommendation in regard to the setting up of a Commission on Child Welfare

Timber for Neyveli Lignite Corporation

484. **Shri N. R. Munisamy**: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the total requirements of timber for the entire Neyveli Lignite Corporation;

(b) how much out of it is being obtained from indigenous sources; and

(c) how is the balance obtained?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The total requirements of timber during the period 1957-58 to 1961-62 are about 7,61,000 cubic feet

(b) The entire quantity is expected to be obtained from indigenous sources.

(c) Does not arise.

Untouchability

485. **Shri B. C Mullick**: Will the Minister of **Home Affairs** be pleased to refer to item No. 6 on page 27, part I of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes 1956-57 and state:

(a) what amount of money so far has been spent from the sum of Rs. 4,50,000 placed at the disposal of the Ministry of Information and Broadcasting for the removal of untouchability; and

(b) the progress achieved?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). No expenditure was incurred during 1956-57 on production and display of films on the removal of untouchability The Ministry of Information and Broadcasting are still negotiating with certain producers for the production of such films.

Sweepers and Scavengers in Cantonments

486 **Shri Balmiki**: Will the Minister of **Defence** be pleased to state:

(a) the steps taken by Government to improve the living condition of the sweepers and scavengers in the cantonments in the country during the last two years; and

(b) the progress of housing made upto June, 1958?

The Minister of Defence (Shri V. K. Krishna Menon): (a) and (b). At the instance of the Government of India, the Cantonment Boards have prepared plans for the construction of quarters for sweepers and scavengers during the Second Five Year Plan period. During the period 1st April 1955 to 30th June 1958, the Government of India have sanctioned special grants-in-aid amounting to

Rs. 11,79,755 for the purpose. In addition, certain Cantonment Boards have spent Rs. 5,33,024 from out of their own funds on construction of quarters for sweepers and scavengers. Out of these amounts, Rs. 4,81,929 and Rs. 3,54,056 respectively relate to the last 2 years ending 31st March, 1958.

572 quarters in all have been constructed upto the 31st March, 1958, and 178 more are under construction.

Distribution of Steel

487. { **Shri S. C Samanta:**
Shri Bhakt Darshan:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that unwanted varieties of steel are supplied in a high percentage to the States;

(b) if so, whether those supplies reach the free market and there they are sold to re-rolling mills; and

(c) whether it is a fact that small producers have to buy their raw materials like steel from those rolling mills at very high prices?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). Supplies are made in accordance with the indents raised by the Registered stockists which are duly scrutinised by the State authorities. In cases where indents are not properly scrutinised, some unwanted varieties might have been asked for and supplied. Registered Stockists are allowed "free sale" of stocks, for which permits are not issued by the State controlling authorities within 60 days of the intimation of arrival of stocks, from the Stockists. It is unlikely that such free stocks go to re-rollers because the re-rollers use re-rollable scrap as raw material. Steel can be purchased against permits or quota certificates which are encashable at controlled prices. However, unregistered re-rollers using raw material purchased from the open market or imported re-rollable scrap charge their cost price plus a fixed conversion charge, which together may be higher than the controlled price for steel obtained against permits or quota certificates. Even such sales have to be reported by the re-rollers to the State Government.

मध्य प्रदेश के उच्च न्यायालय की बेंचें

४८८. **श्री डामर :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश उच्च न्यायालय की जबलपुर, इन्दौर तथा ग्वालियर स्थित बैचो में से प्रत्येक के पास इस समय कितने कितने मामले दर्ज है ;

(ख) इन में से प्रत्येक बैंच के पास कितने कितने दीवानी और फौजदारी मामले लम्बित है ; और

(ग) इन मे से प्रत्येक बैंच मे इस समय कितने न्यायाधीश कार्य कर रहे है ?

गृह-कार्य मंत्री (पंडित गो० ब० पन्त) : (क) से (ग). एक विवरण नीचे दिया गया है :—

	१ १.५८ से ३० ६.५८ तक रजिस्टर किए गए मुकदमों की संख्या			३० ६.५८ का लम्बित मुकदमो की संख्या			इस समय काम करने वाले न्यायाधीशो की संख्या
	दीवानी	फौजदारी	कुल	दीवानी	फौजदारी	कुल	
जबलपुर (मुख्य सीट)	६५३	६६४	१६४७	२४२५	७०२	३१२७	पाच
इन्दौर बैंच	६१५	३७१	९८६	१६७०	२४७	२२१७	तीन
ग्वालियर बैंच	२२६	१९९	४२५	८१५	१०९	९२४	दो
कुल	१७९४	१२६४	३०५८	५२१०	१०५८	६२६८	दस

Indian Contingent to Asian Games at Tokyo

489. Shri Kalika Singh: Will the Minister of **Education** be pleased to state the amount of money contributed by the Government of India towards expenses of the Indian contingent to the Asian Games at Tokyo?

The Minister of Education (Dr. K. L. Shrimali): A grant of Rs 2,10,681 has been paid subject to adjustment on receipt of audited accounts of the expenditure A further grant not exceeding Rs 70,000 is likely to be paid towards the cost of travel of the contingent both ways by Air-India International

Opium

490. Shri Tridib Kumar Chaudhuri: Will the Minister of **Finance** be pleased to state

(a) how many establishments for the cultivation, manufacturing and processing of opium and its chemical derivatives are run by the Union Government, their locations and the type of work done in each of them,

(b) the number of paid workers and other staff employed in all these establishments (establishment-wise), and

(c) whether the various labour enactments are applicable to the workers of these establishment?

The Finance Minister (Shri Morarji Desai): (a) The Narcotics Department of the Government of India do not directly undertake cultivation of poppy for the production of raw opium They only license cultivators who raise the crop on their own holdings on condition that the entire produce is surrendered to Government at a predetermined price

The Government Opium & Alkaloid Works situated at Ghazipur in Uttar Pradesh, is engaged in the processing of raw opium and the manufacture of its alkaloids both for internal consumption and for export. In addition, there is also a small factory at Neemuch in Madhya Pradesh which primarily serves as a warehouse for stocking processed opium for supply to the neighbouring States for oral consumption

(b) A statement is laid on the Table of the House [*See* Appendix II, annexure No 13]

(c) various labour legislations such as the Factory Act, 1948, the Industrial Disputes Act etc as applicable to the various industrial undertakings of the Government of India, are also applicable to the skilled, semi-skilled and unskilled workers employed in these factories Other staff employed there are governed by the normal service conditions applicable to such staff

Government Opium and Alkaloid Works, Ghazipur

491. Shri Tridib Kumar Chaudhuri: Will the Minister of **Finance** be pleased to state

(a) how many workers are now employed in the Government Opium and Alkaloid Works, Ghazipur, U P ,

(b) whether it is a fact that the workers in factory are compulsorily retired on reaching the age of sixty years without payment of any pension, provident fund or gratuity benefits, and

(c) what facilities as regards paid holidays, leave rules etc are allowed to them?

The Finance Minister (Shri Morarji Desai): (a) 552

(b) These workers are retired compulsorily on attaining the age of 60 years They have not so far been granted the benefits of Contributory Provident Fund That question however, is at present, under consideration of the Government of India. As the quantity of raw opium handled by the factory varies from year to year

these workmen are holding only temporary posts sanctioned on a year to year basis. They are therefore, not entitled to pensionary benefits.

(c) In the matter of paid holidays and leave these workers are allowed the same facilities as similar workers employed by other Industrial Establishments under the Government of India.

Soft Steel

492. Shri Tridib Kumar Chaudhuri: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total production of different categories of soft steel in the country including soft steel sheets during 1957 and 1958 so far;

(b) the total quantity of the annual imports of soft steel;

(c) the total quantity of soft steel annually required by the Engineering industry in India;

(d) whether the attention of Government has been drawn to the great hardship caused to the engineering industry in India due to the paucity of soft steel; and

(e) the steps taken by Government to remedy the situation?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Presumably, by the term "soft steel", the Hon'ble Member is meaning "Mild Steel". A statement is laid on the Table of the House. [*See* Appendix II, annexure No. 14].

(b) The total quantity of mild steel imported during 1957 was 1,145,994 tons, and from January to June 1958 it was 374,467 tons.

(c) The present estimated requirement of the Engineering Industry in India is about one Million tons per year, on the basis of single shift assessed capacity.

(d) and (e). Government is fully aware of shortage of mild steel for the Engineering industry. Steps have been taken to increase the overall indigenous production of finished steel in the country from 1.3 million tons to 4.5 million tons by 1960-61. Subject to availability of foreign exchange, it is proposed to import steel to augment indigenous supply. To achieve the efficient utilisation of the available steel, actual allocations to individual units are made on considerations of stock and level of production to be maintained in accordance with the priority of development allotted to each industry.

जर्मन गवेषणा दल

४९३. श्री भक्त दर्शन :
श्री स० चं० सामन्त :

क्या वैज्ञानिक गवेषणा और सांस्कृतिक-कार्य मंत्री १८ नवम्बर, १९५७ के तारांकित प्रश्न संख्या २३० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या जर्मन वैज्ञानिक गवेषणा दल ने इस बीच अपना गवेषणा व संग्रह-कार्य समाप्त कर लिया है ;

(ख) यदि हां, तो उन्होंने भारत के किन-किन भागों का भ्रमण किया ;

(ग) उन्होंने प्राकृतिक इतिहास, पशुओं तथा वनस्पतियों आदि के कुल कितने नमूने एकत्र किये ;

(घ) उन में से कुल कितने नमूने उन्होंने भारत के प्राणिशास्त्रीय सर्वेक्षण विभाग को प्रदान किये ;

(ङ) वे कब से कब तक भारत में रहे ; और

(च) उनके इस अभियान पर भारत सरकार का कुल कितना धन व्यय हुआ ?

वैज्ञानिक गवेषणा और सांस्कृतिक कार्य मंत्री (श्री हुमायूं कबीर) : (क) और (ख) जर्मन वैज्ञानिक दल बम्बई, उत्तर प्रदेश,

पश्चिम बंगाल, आसाम और मध्य प्रदेश गया और उसने भारत में अपना संग्रह का काम पूरा कर लिया है;

(ग) इस दल ने बेरीढ़ की हड्डी वाले प्राणियों के कितने नमूने इकट्ठे किये इसकी ठीक संख्या मालूम नहीं है । बड़े वर्गों में से ६५० नमूने—चिड़ियां, दूध पिलाने वाले प्राणियों और रीगने वाले जन्तुओं के इकट्ठे किये गये ।

(घ) १३६७ ।

(ङ) सितम्बर, १९५५ के पहले सप्ताह से नवम्बर, १९५८ के अन्त तक ।

(च) उन रियायतो और सुविधाओ को छोड कर जिनका आसानी मे अनुमान नही लगाया जा सकता है और चगी के लिये तदर्थ अनुदान के ५००० रुपये के अलावा भारत के जूओलोजीकल सर्वेक्षण विभाग ने दल के साथ जाने वाले अपने कर्मचारियो के दौरे के भत्ते और अचानकीय खर्च पर १६,५०० रूपये खर्च किये ।

Manipur Rifles

494. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state the authorised sentry posts for which armed guards from Manipur Rifles are provided in Manipur?

The Minister in the Ministry of Home Affairs (Shri Datar): There are five authorised sentry posts for which armed guards from the Manipur Rifles have been provided, namely:

(1) Chief Commissioner's House

(2) Maharaja's palace.

(3) Treasury at Imphal.

(4) Guard attached to the Inspector-General of Police.

(5) Unit Quarterguard and Magazine.

Fire in Manipur

495. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether reports of fire are received by the Manipur Police; and

(b) whether any telephones have been installed at important centres of Imphal for immediate contact with fire brigade?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Yes. The Manipur Police also receives reports of fire, besides reports received by the Manipur Fire Service.

(b) No. The Manipur Fire Service is on telephone, and can thus be contacted from any of the telephones installed in the town, or from the public call offices.

Physical Education Teachers

496. Shri L Achaw Singh: Will the Minister of **Education** be pleased to state.

(a) what steps the Manipur Administration have taken up to introduce physical training in the schools and colleges of Manipur;

(b) how many trained physical education teachers are employed by the Manipur Administration;

(c) how many of them were trained at Government cost; and

(d) whether they are employed in the administrative machinery of physical training or whether they impart actual education in physical training?

The Minister of Education (Dr. K. L. Shrimali): (a) The Administration has prepared a comprehensive syllabus for schools in physical education and circulated to all schools for implementation. Physical education in D. M. College is being introduced immediately. A teacher was sent for training for this purpose last year and another has been sent this year.

Three teachers from Government schools and two from private aided schools have been sent for training during the current year.

(b) Five.

(c) All of them.

(d) Out of these five one is employed in the Education Department in organising and administering Physical Education and the rest in Territorial Council Schools as teachers.

हिमाचल प्रदेश में पड़े हुए पाइप

४९७. **श्री पद्म देव** : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि

(क) कितनी लागत के पाइप और टकिया हिमाचल प्रदेश की सडको पर धूप और पानी मे पडी खराब हो रही हैं ;

(ख) उनके इस स्थिति मे पडे रहने के क्या कारण है , और

(ग) उन्हे धूप और वर्षा मे हानि से बचाने के लिये सरकार क्या कदम उठा रही है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) तथा (ख) कुछ पाइप और टकिया काम की जगह पर सडक के किनारे रखे गये है जिनका प्रयोग वाटर सप्लाइ स्कीम को कार्यान्वित करने के लिये किया जायेगा । चूकि अधिकतर काम की जगहो तक सडके नही बनी हुई हैं, इसलिये ऐसा करना अनिवार्य हो गया जब भी जरूरत होती है सामान को काम के स्थान पर ले जाया जाता है जिसकी वजह से एक विशेष स्थान पर वह सामान कभी बढता और कभी घटता रहता है । इसलिये उसकी लागत के सही सही आंकड़े देना सम्भव नही है ।

(ग) यह प्रश्न ही नही उठता क्योंकि धूप और वर्षा से इस सामान को कोई हानि नही पहुचती है । पाइप और टंकिया जब तक जमीन के अन्दर ही न गाड़ दी जायें तब तक तो लगा देने के बाद भी वे धूप और वर्षा में ही रहती हैं ।

हिमाचल प्रदेश में अनुसूचित जाति के छात्र

४९८. **श्री पद्म देव** : क्या शिक्षा मन्त्री हिमाचल प्रदेश में वर्ष १९५७–५८ मे अनुसूचित जाति के छात्रो को दी गई छात्रवृत्तियो के बारे मे २८ अप्रैल, १९५८ के अताराकित प्रश्न सख्या २८८८ के सम्बन्ध मे अपेक्षित जानकारी देने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): विवरण सभा-पटल पर रख दिया गया है [देखिये परिशिष्ट २, अनुबन्ध संख्या १५]

हिमाचल प्रदेश में समाज कल्याण केन्द्र

४९९. **श्री पद्म देव** : क्या शिक्षा मन्त्री हिमाचल प्रदेश मे समाज कल्याण केन्द्रो के बारे मे २१ फरवरी, १९५८ के अतारांकित प्रश्न सख्या ४७१ के उत्तर के बारे मे अपेक्षित जानकारी देने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : मागी गई सूचना का विवरण सलग्न है [देखिये परिशिष्ट २, अनुबन्ध संख्या १६]

Unearthing of Arms Factory

500. **Shri D. C. Sharma**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a miniature arms factory alongwith several hundred parts of pistols and

several types of home-made tools for manufacturing pistols was unearthed in June, 1958 in the heart of Pilibhit in U. P.; and

(b) if so, the steps taken by Government to check the establishment of such factories in the country?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) Some parts for manufacturing pistols were recovered from the house of a blacksmith in Pilibhit. It was not a miniature arms factory.

(b) The blacksmith has been prosecuted under the Indian Arms Act. The local Police maintain vigilance about cases of this nature.

Officers' Relatives in Private Firms

501. Shri Vajpayee: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of cases in which Officers of Class I have, with the previous sanction of Government, permitted their sons, daughters, or dependants to accept employment during 1957 and 1958 so far with private firms having official dealings with Government; and

(b) the number of cases in which sanction was refused during the same period?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). The information is being collected and will be placed on the Table of the House as soon as it is available.

Ford Foundation Training Centres

502. Shri Ghosal: Will the Minister of **Education** be pleased to state:

(a) the number of Ford Foundation Training Centres in India;

(b) the names of places where situated; and

(c) the number of persons at present under training?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). The information is being collected and will be laid on the Table of the House.

Blind Persons

503. Dr. Sushila Nayar:
Shri Raghunath Singh:
Sardar Iqbal Singh:

Will the Minister of **Education** be pleased to state:

(a) whether Government have any estimate of the total number of blind persons in India;

(b) how many of them have received training and education before and since Independence, and whether there is any follow up of those who have received training; and

(c) the extent of increase in such facilities during the First Five Year Plan and first two years of the Second Five Year Plan?

The Minister of Education (Dr. K. L. Shrimali): (a) The total number of blind persons in India is roughly estimated at 20 lakhs

(b) It is not possible to indicate the number of blind persons in the country who have received education and training before and since Independence. Several schools for the blind keep in touch with their ex-pupils and assist them in securing employment. The Employment Office of the Training Centre for the Adult Blind at Madras and the Employment & Placement Committee of the National Association for the Blind, Bombay, regularly assist blind persons in securing suitable work in ordinary industrial establishments.

(c) The information is being collected and will be laid on the Table of the Lok Sabha as soon as possible.

Police Encounters with Smugglers

504. Shri Vajpayee: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that on or about the 22nd June, 1958, the

Rajasthan Armed Constabulary had an encounter with Pakistani smugglers near Cadra Road in which one of them was killed,

(b) if so, the details of the incident, and

(c) the total amount of gold recovered from them?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir On the 22nd June 1958, the Rajasthan Armed Constabulary had an encounter with Pakistani smugglers near Cadra Road as a result of which one of the smugglers was wounded in the leg but was not killed

(b) On that day at 4 A M four persons were coming from Pakistan riding on two camels A party of 4 Havaldars and 12 Constables of the Rajasthan Armed Constabulary, who had already received prior information that some persons would be smuggling gold from Pakistan, was on guard near Cadra Road On being challenged the four persons instead of halting, opened fire on the Rajasthan Armed Constabulary personnel The latter had to return the fire in self-defence Six rounds were fired One of the smugglers was hit in the leg and fell down The camel he was riding also fell down Two leather bags containing gold were recovered The other persons ran back to Pakistan

(c) The total quantity of gold recovered from these bags was 874 tolas

Women's Education in Himachal Pradesh

505. **Shri Daljit Singh:** Will the Minister of **Education** be pleased to state the steps taken during the last three years to promote Women's education in Himachal Pradesh?

The Minister of Education (Dr. K. L. Shrimali): Information is being collected and will be laid on the Table of the House in due course

Indian Troops in Gaza

506. **Shri Raghunath Singh:** Will the Minister of **Defence** be pleased to state how many Indian officers and soldiers who are posted at present in the Gaza strip as part of United Nations Emergency Force have been decorated by the U N O?

The Minister of Defence (Shri Krishna Menon): Military personnel who serve in the U N E F for a minimum period of 90 days become eligible to the U N E F Medal Of the Indian personnel who are at present posted in the Gaza Strip as part of the U N E F, 36 Officers, 27 J C Os and 1,076 Other Ranks have so far received this medal

Smuggling

507. **Shri Raghunath Singh:** Will the Minister of **Finance** be pleased to state whether it is a fact that one Pakistani smuggler was killed and two escaped after opening fire on the 6th July, 1958 in Gharinda Border area of the village of Mahawa, Punjab?

The Minister of Finance (Shri Morarji Desai): Yes, Sir It is a fact that one Pakistani smuggler was killed and one (not two) escaped after opening fire on the night of 5|6th July, 1958 at village Mahawa, which is about 5 miles to the south of Police Station, Gharinda (Amritsar District)

Gold Smuggling

508. **Shri Raghunath Singh** Will the Minister of **Finance** be pleased to state whether it is a fact that Rajasthan Armed Constabulary on Saturday the 5th July, 1958 arrested Pakistanis with 400 tolas of gold at Khatan near Raisingh Nagar and two other Pakistani smugglers were also arrested with Rs 40,000 in Indian currency ' near Ganganagar?

The Minister of Finance (Shri Morarji Desai): No, Sir. The Rajasthan Armed Constabulary did not arrest any Pakistani on the 5th July, 1958 for smuggling of gold at Khatan near Raisingh Nagar or for smuggling of

Indian currency near Ganganagar. A Rajasthan Armed Constabulary party at Khatan, however, arrested three Indian nationals on the night of 4th 5th July 1958 and recovered from them 300 tolas of gold, 8 ear-rings and 6 rupees of Pakistan currency

Public Undertakings

509. Shri Vasudevan Nair: Will the Minister of **Finance** be pleased to state

(a) the number of public undertakings in which Government Secretaries are *Ex-officio* Chairmen, and

(b) the names of those public undertakings?

The Minister of Finance (Shri Morarji Desai): (a) 18 (7 Secretaries, 1 Special Secretary & 10 Joint Secretaries)

(b) 1 The National Coal Development Corporation (P) Ltd

2 Orissa Mining Corporation

3 The National Projects Construction Corporation (P) Ltd

4 National Instruments (P) Ltd

5 Hindustan Antibiotics (P) Ltd

6 Hindustan Cables (P) Ltd

7 Hindustan Insecticides (P) Ltd

8 Heavy Electricals (P) Ltd

9 Nahan Foundry (P) Ltd

10 State Trading Corporation of India (P) Ltd

11 National Small Industries Corporation (P) Ltd

12 Hindustan Aircraft (P) Ltd

13 Bharat Electronics (P) Ltd

14 Indian Telephone Industries (P) Ltd

15 Central Warehousing Corporation

16 Ashoka Hotels Ltd

17 Hindustan Housing Factory (P) Ltd

18 The Eastern Shipping Corporation (P) Ltd.

Demolition of Huts in Delhi

510. Shri B. K. Gaikwad: Will the Minister of **Home Affairs** be pleased to state.

(a) whether any representation has been made to Government by the Dalit Varga Stalls Holders Welfare Association, Delhi regarding demolition of wooden stalls and huts, and

(b) if so, the action taken in the matter?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Yes

(b) The representation is being examined

New Technical Institutions in U.P.

511. Shri Ram Garib: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state

(a) whether there is any proposal before Central Government for opening of new Technical Institutions (especially for overseer and draftsman courses) in Uttar Pradesh, and

(b) if so, the main features of the scheme?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir) (a) and (b) A statement is laid on the Table of the House [*See* Appendix II, annexure No 17]

Sports

512. Shri N. R. Munisamy. Will the Minister of **Education** be pleased to state

(a) what amount has been set apart for the improvement of the sports for the remaining three years of the Second Five Year Plan both for recurring and non-recurring expenses and how much is to be met by sports federation, and

(b) the steps that are being taken to promote games in villages and rural areas?

The Minister of Education (Dr. K. L. Shrimali): (a) About Rs 1 crore will be available from the Plan Provision.

Further it is anticipated that about Rs. 15 to 20 lakhs will also be available for the same purpose from the regular (Non-Plan) budgets for the years 1958-59 to 1960-61.

No information is available regarding the amounts which the National Sports Federations/Associations can provide for improvement of Sports.

(b) An *Ad-hoc* committee has been appointed to examine the reasons for the persistence of low standards of performance by Indian athletes and players in the Olympic and Asian Games. This committee will *inter alia* recommend steps to promote games in villages and rural areas. Action in this behalf will be taken when the report of the committee has been received and its recommendations examined.

Corruption Cases in Tripura

513. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of corruption cases registered against Government officials under the Tripura Administration during 1957;

(b) whether their number is more than that in 1956; and

(c) the machinery set up to deal with such cases?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) 65.

(b) Yes.

(c) Department concerned processes the cases. Punishment is imposed by the competent authority in each case.

Central Excise Department, Chandausi

514. { Shri Narayanankutty Menon / Shri Warior: / Shri S. L. Saksena:

Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 3352 on the 6th May, 1958 and state:

(a) whether the Collector and the Vigilance Wing of the Directorate of Inspection, Customs and Central Excise, New Delhi have completed the investigation into the working of the Central Excise Department at Chandausi, District Moradabad, (U.P.);

(b) if so, result of the investigation; and

(c) action taken, if any, as a result thereof?

The Finance Minister (Shri Morarji Desai): (a) Yes, Sir. [*See* Appendix II, annexure No. 18].

(b) All the allegations made against the Inspector in charge of the Central Excise Office at Chandausi were found to be misconceived and without any foundation.

(c) In view of the findings of the enquiry no action was considered necessary against the Inspector. However, he was transferred from Chandausi before the completion of the enquiry.

तस्कर व्यापार

५१५. श्री प० ला० बारुपाल: क्या **वित्त** मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी से जुलाई, १९५८ तक की अवधि में राजस्थान में चोरी से लाया हुआ कितना सोना पकड़ा गया ;

(ख) किस जिले में सब से अधिक मात्रा में ऐसा सोना पकडा गया , और

(ग) अभी तक कितने तस्कर-व्यापारियों को दण्ड दिया गया है ?

वित्त मंत्री (श्री मोरारजी देसाई) : (क) जनवरी से जुलाई १९५८ तक की अवधि में राजस्थान में चोरी-छिपे लाया गया १५,९९८ तोला सोना पकड़ा गया ।

(ख) जैसलमेर जिले में सबसे अधिक सोना पकड़ा गया जो ४,०६८ तोला था ।

(ग) इस अवधि में चोरी छिपे माल लाने वाले दस आदमियों को दण्ड दिया गया ।

Special Review Board

516. { **Sardar Iqbal Singh:** / **Shri Bhakt Darshan:**

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No 243 on the 1st February, 1958 and state

(a) the work done by the Special Review Board so far,

(b) the number of officers granted Permanent Regular Commission in the Army on the recommendations of this Board, and

(c) the number of officers whose cases are still pending review?

The Deputy Minister of Defence (Sardar Majithia): (a) The Special Review Board completed its work on 26th October 1957 Out of those whose cases were referred, the Board recommended the grant of Permanent Regular Commission to about 94 per cent of them

(b) So far, about 63 per cent of those recommended have been granted Permanent Regular Commission The cases were referred, the Board recommended await the completion of the necessary procedures prior to the grant of a Permanent Regular Commission The remaining officers, who would be about 27 per cent of those recommended, are, under the existing rules, ineligible for the grant of a Permanent Regular Commission as they do not satisfy all the requisite conditions The rules are now being reviewed by Government to consider whether any relaxations can be made to cover the cases of the remaining officers recommended by the Special Review Board.

(c) No cases are pending with the Special Review Board.

Income Tax

517. { **Sardar Iqbal Singh:** / **Shri Daljit Singh:**

Will the Minister of **Finance** be pleased to state

(a) the amount of income-tax realised (district-wise) in the State of Punjab during the years 1953-54 to 1957-58, and

(b) the amount realised from persons falling under various income groups during the period?

The Minister of Finance (Shri Morarji Desai): (a) The amount of income-tax realised (district-wise) in the State of Punjab during the years 1953-54 to 1957-58 is given in a statement laid on the Table of the House [*See* Appendix II, annexure No 19]

(b) The amount realised from persons falling under various income groups during the period is given in a statement laid on the Table of the House [*See* Appendix II, annexure No 20]

Excise Duty on Tobacco

518. **Sardar Iqbal Singh.** Will the Minister of **Finance** be pleased to state the total revenue collected as excise duty on tobacco during 1957-58 State-wise?

The Minister of Finance (Shri Morarji Desai): The required information State-wise is given below:

S No	Name of the State or Union Territory	Revenue Realised (Rs 000)
1	2	3
1	Andhra	4,52,84
2	Assam	8,85
3	Bihar	3,14,37
4	Bombay	9,54,82
5	Kerala	1,42,87

1	2	3
6.	Jammu & Kashmir	5,78
7.	Madras	3,72,43
8	Madhya Pradesh	2,66,45
9.	Mysore	4,69,90
10	Orissa	37,52
11	Punjab	55,25
12	Rajasthan	52,85
13	Uttar Pradesh	6 09,12
14	West Bengal	7,55,04
15	Delhi	7,14
16	Himachal Pradesh	
17	Manipur	
18	Tripura	1,48
	TOTAL	45,06,71

12.02 hrs.

MOTION(S) FOR ADJOURNMENT

I INCIDENT AT JAIPUR ON INDEPENDENCE DAY

Raja Mahendra Pratap (Mathura) On a point of order, Sir My adjournment motion has been rejected, but I beg to say that it is very important because Independence Day was insulted by the Jaipur Government, and when it is a question of ladies and children being charged with lathis, then it becomes a human question, and all humanity can be interested in it, and therefore this adjournment motion should kindly be accepted

Mr. Speaker: The hon Member knows that what happens in any particular State so far as law and order is concerned is that it may be a human question, but it will not be taken up in the United States of America All are human beings That particular State has got a legislature, has got a Ministry There is no meaning, even after I have disallowed this question, to say it is a human question, and therefore we have to go into it. Anything that happens in any part of India relating to all the 40 crores can always be brought here Then it will not be a federal Government, it will become a unitary Government I am sorry I am not prepared to give my consent to this motion, however human it might be

Raja Mahendra Pratap: Brutalities to ladies murder of innocent are mentioned If we can show sympathy to Mr Nagy why not for these

Mr. Speaker. All that is true, or may not be true Order, order Hon. Members forget that there are representatives in the State Legislatures who are much nearer the scene They can take up the question, they can throw out their Ministry We have no jurisdiction over them They can do what all we can do and much more too Also, we have no jurisdiction over this matter I am really sorry, however important or human it might be, I am not competent, this House is not competent to go into this matter

II BREAKDOWN OF WATER-SUPPLY IN DELHI

Mr Speaker: There are three adjournment motions and one Calling Attention Notice relating to the shortage of water in Delhi

Shrimati Renu Chakravartty (Basirhat) Stoppage

Shri Ranga (Tenali) Not even in the corridor

Mr. Speaker: Stoppage of water in Delhi

Shri Tyagi (Dehra Dun) May I request you to make some arrangement for drinking water in the lobby from outside somewhere It may be brought, if not available in Delhi, from Ghaziabad or elsewhere

Mr. Speaker: I agree That is why I have brought aerated water here for myself The whole of the City is really very anxious This is a unique situation

Shri Goray (Poona): The names may be read out

Mr. Speaker: Hon Members Shri Goray, Shri Nath Pai and Shri Jadhav It is a surprise that other Members have not joined They evidently thought

Shri Goray: The whole House agrees with us

Mr. Speaker: Order, order I agree Therefore, there is no particular importance in my reading out the names I may take it every hon Member here is a party to this question

Shri Goray: Therefore, you should allow this adjournment motion It is a non-party question

Mr. Speaker: Order, order Let me hear the hon Minister

Shri A. K. Gopalan (Kasergod) Before the hon Minister gives the reply, I want to point out a very important thing

Shri Goray: Should I not have preference because I have tabled my motion before the others?

Shrimati Renu Chakravartty. We have all tabled motions, he is not the only one

Shri A. K. Gopalan: I want to point out a very important thing before the Minister gives the reply

There was a report of a committee constituted when there was jaundice It was two years back I want to point out some of the terms of reference and also the remedies suggested by the committee The committee also said that immediately something must be done

The terms of reference of the committee were:

> (1) shortcomings if any, in the organisation and management of the Delhi Joint Water and Sewage Board and of the drinking water supply arrangements for the citizens of Delhi;
>
> (2) major difficulties and defects that existed at present in the water supply and sewage system and the steps to be taken to remove them

So, it is about three years now since the committee has given the report, and in the report specially they have suggested remedies and mentioned the shortcomings of the existing system of water supply

Mr. Speaker: Do the terms of reference refer to shortage of supply or merely sewage water?

Shri A. K. Gopalan: The remedy suggested is that there must be an alternative source of supply also, because, as far as the water supply system is concerned, it is said that it may occur, that sometimes when there is a flood, not only this year but other times also, the water will recede, and when the water recedes there must also be an alternative system and arrangement So, they have said that if that is not there, it will mean that there would be shortage

I also want to point out that the *Times of India* of today says that a senior engineer when questioned said that he had anticipated it and he could not do anything

In the committee's report specific suggestions have been made towards training the river's course towards the intake, and alternative supply of water And what happened today is not something that has happened suddenly Also, here in Delhi we are always depending on nature There is no alternative arrangement If there is a breakdown in the water supply arrangement, that also has to be explained, because it is a very important thing that nobody has water today, and in the town people are standing in queues for getting water What is the reason for this? Who is responsible for this? Why was the report of that committee submitted two years ago not implemented? At least, when there was a flood this year early, some days ago, and there has been the

receding of water last year and the year before last, why was it that no arrangement was made? Why was it that even a warning ten minutes before was not given to the people to store some water, and only suddenly everywhere people knew that there was no water, not even one cup of water for drinking? Why was it that was done, that is what I want to know

Shri Goray I want to plead that if there was ever an adjournment motion which you should admit, it is this, because everybody in Delhi is suffering from this

Mr. Speaker· Would not the people outside say hon Members are more particular about their own water supply?

Shri Goray No, no It is all over Delhi, and I suppose representatives of the people who have come here have come here without a bath And outside you will find there is no water and a notice has been put up saying that before 12 o'clock there will be no water available There might be some body responsible and some department might be held responsible for all this

Mr. Speaker Shri Radha Raman He has given notice of a calling attention motion

Shri Radha Raman (Chandni Chowk) Sir, I rise to call your attention to my notice of date *re* scarcity of water and stoppage of it in the city

Shri Nath Pai (Rajapur) We want to make a submission regarding the working of the House

Mr. Speaker. If an adjournment motion is tabled, all that I am concerned with is how it is urgent—urgency is there, public importance, whether it is confined only to Members here or outside, if it is a definite and serious matter, what is the fault on the part of the Government Suddenly floods come in and whole houses are washed away, what is the default on the part of the Government? These are the three matters Without elaborate details, I must be satisfied about the urgency, the default on the part of the Government and also the general public importance I am satisfied with respect to two I heard something from Shri Gopalan regarding the default If by natural causes it is washed away and a similar thing had not occurred and there was no reference to it, that is a matter for my consideration I have heard Shri Goray also I want to hear Shri Radha Raman and then I will call upon the hon Minister and then I will make up my mind If I allow the adjournment motion, certainly we will sit for two hours in the afternoon Otherwise

Shri Nath Pai Our submission is regarding

Shrimati Renu Chakravartty: The point is before the calling attention motion you must dispose of the adjournment motion That is our point

Mr Speaker Very good, I agree I must make up my mind whether the calling attention motion will be better than the adjournment motion Even if I hear every one, ultimately I must decide

Shri Goray On a point of order When the adjournment motion is before you, can you just waive it and ask for some other motion before the House?

Mr Speaker Let us assume that I would not refer to the calling attention notice Can I not ask Shri Radha Raman to tell me what exactly it is? (*Interruptions*) He is a resident not only of this House here but also outside

Shri Radha Raman. That the matter which is before this House is of great importance is one on which there can be no doubt, and it has created a very serious situation in the capital, and it deserves, in my opinion, a full-length debate or discussion But, I think, in

[Shri Radha Raman]

view of this it would be better if the Minister concerned makes a statement as to all that has happened and the extent to which this water scarcity has affected us

Mr. Speaker: Now, the Minister

Shri Nath Pai: Before you call the Minister, I want to make a submission regarding the working of the House There is a very serious threat to the efficient working of this House Some of us are strict teetotallers, and water is the only drink that fortifies us There is not a drop of water in this city which was threatened only a fortnight ago with a deluge of water I was greatly relieved to see that a glass of water was presented at least on your table Therefore, in all earnestness, I should plead with you for some water to be supplied to us, so that we can work during the day before we take the larger issue

Shrimati Renu Chakravartty: I think we have been pleading too much for ourselves My feeling is that you have been very good to give us aerated water, but in the city and in New Delhi also there are many houses that cannot even cook today That is the situation Children's schools, hospitals and everything is closed It is a serious situation So, it is not a question of Members having a glass of water to drink It is a matter of public importance, and not a matter which concerns merely the Members of Parliament

Mr Speaker: Now, Shri Tyagi

Shri Tyagi: I am grateful to you for having allowed me to say something It is only with regard to the procedure I am quite sure you follow it, and you know it better than anyone of us does here, because you have been in this House for a very long time as a Member and also now as the Speaker

My only submission is that an adjournment motion is a privilege of the Opposition to censure Government whenever they think they can do so, and it being the privilege of the Opposition, it must be the care of the whole House to see that the Opposition is not in any way deprived of that privilege

I would submit that at this stage, the only question which you can take into consideration is whether, as you have already said, the matter concerns the public, whether it is of urgent public importance, and for that purpose, you can ask the Opposition to adduce their arguments, also, if Government were to refute it, Government could be called upon to say that the matter is not urgent or that it is not of public importance or whatever the case is If that is done, and you are convinced that the matter is of urgent public importance, then it is for you to ask the Opposition Members whether they have got the requisite number of fifty Members to stand in their seats

Several Hon. Members: We have got fifty Members to support it

Shri Tyagi: Then only, they could debate it after five o'clock or four o'clock, as you choose *(Interruptions)*

Shri Nath Pai It is only a corroboration of the rules of procedure

Mr. Speaker: All this is in the rules of procedure

The Minister of Health (Shri Karmarkar): I must say that I thoroughly appreciate and agree .

Some Hon. Members A little louder, please

Shri Karmarkar: Hon Members must appreciate I am also equally suffering from water scarcity, and maybe, my voice is, therefore a little feebler than what would otherwise be the case Hon Members will appreciate this situation This is a topic on which, if it were only open to us under the rules of the House, I think many

Members on the Treasury Benches would also have signed the adjournment motion I do not say it in any lightness because it is a matter about which we have to be extremely anxious Since yesterday morning, at some places in the noon, at some more lucky places in afternoon, the water supply stopped, in a few other places, water was again resumed at 5 36 p m to disappear after half an hour We immediately got into touch with the situation, and in the morning, to have first-hand knowledge, I sent my deputy secretary to find out exactly what the situation is Apart from the fact that we are answerable to the House, in a capital city like Delhi or anywhere water supply is the first need and the last need, I may say, that is a need which we cannot ignore The present situation has arisen on account of rather unexpected reasons

An Hon Member It was unexpected

Shri Karmarkar Let me complete what I have to say and by the time I complete I am quite sure that hon Members will have sympathy with me It was on the 15th August that our engineers found for the first time that the water was receding I should also frankly tell the House that it is not only a question of supply of water in Delhi, but, on account of the unfortunate fact that some nullahs are coming in—hon Members are quite aware of the fact that three years ago we suffered from a severe misfortune on account of the Najafgarh nala which was carrying on account of the irregular growth in the population of the city, a large amount of dirt—at such a time as this, it is not only necessary for us to supply water, but the Water Board should also supply pure drinking water That was the two fold problem that confronted our water authorities on the 15th evening

As hon Members are aware, water was supplied till yesterday, as I said, at some places, till the morning, at some places till the noon, and at some other places till the afternoon, it depended upon the particular zone of water supply So, there, an hourly inspection has been taking place ever since the 15th August, because it is much better to do with scarcity of water rather than to ask people to drink water which will bring them disease And this situation grew in seriousness yesterday I must say that the Jumna water has always been receding, three years back, the trouble began This year, it had receded rather too fast, it had receded day before yesterday also, yesterday night I understand it receded another one hundred yards (*Interruptions*) I am not trying to give a justification This is not a question on which I take a conventional view that everything that has happend must be justified by Government I am not taking that view I am on a much more serious venture, and I should like to take the House into confidence regarding the actual facts as they are, without either embellishment or under-statement The position is like this

In fact, since the 15th, this question has been occupying the attention both of the corporation as also of the Water Board Till yesterday they pumped water, but there was a small risk, I might say which might have grown in pumping out water and giving water to the city which was likely to have been contaminated

The first measure that had to be taken was to stop that Najafgarh nullah water ever resulting in the risk of its running into pure drinking water That was the first step taken The bunds are being constructed to prevent the Najafgarh nullah water from sullying this water That work is supposed to be completed till today afternoon

Now, physically at any given moment even if a little water comes in it is not impossible to pump out that water and give it to the city, but at what risk We have to take the double precaution not only of sup-

[Shri Karmarkar]

plying water but also of supplying water for which we can hold ourselves responsible Till now, we have succeeded in not letting the pure water being contaminated by the Najafgarh nullah which danger was there if we had continued to supply water indiscreetly, but we have obviously not taken that risk

Regarding the present position, as I said during the last two days, the river has receded rather faster and rather more suddenly than was the case last year and the year before last My hon friend Shri A K Gopalan rightly pointed out to the House certain facts about the committee's report Maybe it may not be relevant for me to enter into that now But I would welcome an opportunity to place before the House full facts regarding that in the near future so that we may have guidance from the House also regarding the steps to be taken Parts of the steps have been taken, So far as the actual pumping of water is concerned every step has been taken As hon Members are perhaps aware there was a proposal, and the whole question was very carefully considered last year or the year before last by our CWINC organisation in Poona and they have advised us to take certain steps in the permanent shape of things One of them was this On the right bank we had to give a whole stone lining We have given that The work has been completed

Another necessary step if this is to be avoided is to build a permanent weir That question is under consideration It was the floods that came in the way, and had it not been for the heaviness of the floods, possibly, we might have been able to do the work further

With regard to the immediate scarcity of water supply our principal difficulty has been to dig the channel The water has almost gone to the bank, and our intake well is on the right bank

With regard to the creation of emergency intake wells, that is not a proposition which is possible of achievement We have to bring the water from the left bank by some way or other to the right bank intake well There is no other way 3000 labourers have been on the job for the last 48 hours They have been doing that work We have been able to dig a small channel As against the 60 million gallons of water we are expected to pump, we are pumping out off and on about 10 million gallons

The difficulty with regard to the four dredgers which we kept in readiness is that obviously they have their own limitations They could not function in slush Now these dredgers are at work and if our expectations come to fruition, we hope that a sufficiently big channel will be dug by this afternoon by about 2 p m or 5 p m

An Hon Member When will we get water?

Shri Karmarkar Let me state the facts Facts cannot be altered either by my justification or by anything that the Opposition may say I am sharing with the House the facts as they actually exist Nothing can be improved on that We are doing the best in the situation

This is the present position I am told that this morning when our Deputy Secretary had gone there, he found—I am frank with the House—one of the army bull-dozers which was put into commission earlier had got stuck It was not possible to bring bull-dozers into operation earlier even though we had kept them in readiness, in view of the slushy conditions If the conditions prove favourable and if the two bull-dozers of the water and sewage undertaking of the Corporation and the

others which have been made available by the Army go into commission, we hope to cut one channel by about 4 or 5 p m today

Then again—this is another enemy which we have to confront—if the chloride content shows a decrease, partial water supply may be restored That is the present position The river has receded Nothing can prevent that The river is receding so rapidly that conditions are getting worse every hour It has not been found possible even to give restricted water supply this morning because the storage tanks were practically empty They were emptied when partial water supply was restored yesterday evening for about three to four hours

Arrangements have been made to supply water from Kalkaji to all the hospitals in Delhi by means of water lorries from Chandrawal In Kalkaji, water supply has not been affected and people are being supplied from that source That is the present position

I have not hidden any single detail from the House If hon Members give suggestions in this matter, they would be welcome All our engineers are at work here (*Interruptions*)

Shrimati Renu Chakravartty May I ask one question?

Shri Karmarkar A number of questions I shall place everything that I know before the House (*Interruptions*)

Several Hon Members *rose*—

Mr Speaker: I am allowing this adjournment motion It is really a serious problem Some time ago, sewage water was flowing into the water channel After 2½ years an attempt seems to have been made to turn it away Of course, the hon Minister deserves all thanks for that

So far as recession is concerned, the river has been receding This is a very serious problem. Shri A. K Gopalan drew attention to the fact that reference was made to this shortage and it was anticipated more than 2½ years ago But more than anything else, what can be done until 5 p m when according to the Deputy Secretary who visited the place, the water is expected to flow? What is to happen in the meanwhile? What is the arrangement made? Kalkaji is all right But what about various other places?

Therefore, there will be a full-dress debate Let me see if 50 hon Members rise in their seats I see the requisite number of Members rising in their seats The House will therefore take up this matter at 4 p m this afternoon

12 24 hrs.

PAPERS LAID ON THE TABLE

Audit Report and Appropriation Accounts, Railways

The Minister of Finance (Shri Morarji Desai) I beg to lay on the Table a copy of each of the following papers —

(1) Audit Report, Railways, 1958, under Article 151(1) of the Constitution (*Placed in Library, See* No LT-801|58).

(2) Appropriation Accounts, Railways for 1956-57, Part I—Revised (*Placed in Library, See* No LT-801/58)

(3) Appropriation Accounts, Railways, for 1956-57, Part II—Detailed Appropriation Accounts. (*Placed in Library, See* No LT-802/58)

(4) Block Accounts (including Capital statements comprising the loan Accounts), Balance Sheets and Profit and Loss Accounts, Railways, 1956-57. (*Placed in Library, See* No. LT-800/58)

REPORT OF THE TEXTILE ENQUIRY COMMITTEE

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): I beg to lay on the Table a copy of the Report of the Textile Enquiry Committee, 1958 [*Placed in Library, See* No LT-803/58]

FIRST REPORT OF COMMITTEE FOR MEASURES AGAINST FLOODS IN DELHI

The Minister of Works, Housing and Supply (Shri K. C. Reddy): I beg to lay on the Table a copy of the First Report of the Committee for planning measures against floods and similar calamities in Delhi [*Placed in Library, See* No LT-804/58]

NOTIFICATIONS UNDER THE MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT

The Minister of State in the Ministry of Home Affairs (Shri Datar): On behalf of Shri K D Malaviya, I beg to lay on the Table under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, a copy of each of the following Notifications —

(1) G S R No 432 dated the 29th May, 1958

(2) G S R No 436 dated the 1st June, 1958

(3) G S R No 441 dated the 1st June, 1958

containing the Minerals Conservation and Development Rules, 1958 [*Placed in Library, See* No LT-805/58]

DELHI ELECTORAL COLLEGE (ELECTION OF MEMBERS) RULES

The Deputy Minister of Law (Shri Hajarnavis): I beg to lay on the Table, under sub-section (3) of section 28 of the Representation of the People Act, 1950, a copy containing the Delhi Electoral College (Election of Members) Rules, 1958 published in Notification No. G. S R. 603 dated the 11th July, 1958 [*Placed in Library, See* No. LT-806/58]

श्री भक्त दर्शन : (गढ़वाल) अध्यक्ष महोदय, देहली इलेक्टोरल कालिज (इलेक्शन आव मेम्बर्स) रूल्स, १९५८, के अन्तर्गत चुनाव तो कल ही हो चुके जब कि ये रूल आज सदन के सम्मुख पेश किये जा रहे है। मैं यह पूछना चाहता हू कि जब सदन की बैठके इस से पहले से हो रही थी तो ये रूल चुनाव होने से पहले क्यो नही यहा पेश किये जा सके ?

Mr. Speaker: The hon Member wants to know how the elections took place yesterday

Shri Hajarnavis: I will place the information regarding this before the House

Mr. Speaker. A Short Notice Question may be tabled on this

NOTIFICATIONS UNDER REPRESENTATION OF THE PEOPLE ACT

Shri Hajarnavis: I beg to lay on the Table under sub-section (3) of Section 169 of the Representation of the People Act, 1951, a copy of each of the following Notifications making certain further amendments to the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956 —

(1) G S R No 433 dated the 29th May 1958

(2) G S R No 527 dated the 26th June 1958 [*Placed in Library, See* No LT-807/58]

UNIVERSITY GRANTS COMMISSION (TERMS AND CONDITIONS OF SERVICES OF EMPLOYEES) RULES

The Deputy Minister of Finance (Shri B. R. Bhagat): On behalf of Dr K L Shrimali, I beg to lay on the Table under sub-section (3) of section 25 of the University Grants Commission Act, 1956, a copy of the Notification No G. S. R. 593 dated the 12th July 1958 containing the University Grants Commisison (Terms

and Conditions of Services of Employees) Rules, 1958 [*Placed in Library, See* No. LT-808/58.]

Amendments of Life Insurance Corporation Rules

Shri B. B. Bhagat: I beg to lay on the Table, under sub-section (3) of section 48 of the Life Insurance Corporation Act, 1956, a copy of the Notification No. G. S. R. 317 dated the 10th May 1958 making certain amendment to the Life Insurance Corporation Rules, 1956, as corrected by Notification No. G. S. R. 490 dated the 21st June 1958. [*Placed in Library, See* No LT-809/58]

Notification issued under Sea Customs Act and Central Excises and Salt Act

Shri B. R. Bhagat: I beg to lay on the Table, under sub-section (4) of section 43B of the Sea Customs Act, 1878, and section 38 of the Central Excises and Salt Act, 1944, a copy of the Notification No G S.R. 636 dated the 25th July 1958 containing the Customs and Central Excises Duties Drawback (Bicycles) Rules, 1958. [*Placed in Library, See* No. LT-810/58]

Amendments to Central Excise Rules

Shri B. R. Bhagat: I beg to lay on the Table under section 38 of the Central Excises and Salt Act, 1944 a copy of each of the following Notifications, making certain further amendments to the Central Excise Rules 1944:—

(1) G. S. R. No. 647 dated the 2nd August, 1958,

(2) G. S. R. No. 679 dated the 9th August, 1958,

(3) G.S.R. No. 680 dated the 9th August, 1958. [*Placed in Library, See* No. LT-811/58.]

Estate Duty (Distributions) Rules

Shri B. R. Bhagat: Sir, I beg to re-lay on the Table, under sub-section (2) of section 6 of the Estate Duty And Tax on Railway Passenger Fares (Distribution) Act, 1957, a copy of the Estate Duty (Distribution) Rules, 1958, published in Notification No. S.R.O. 327, dated the 29th March 1958. [*Placed in Library, See* No. LT-812/58.]

Shri Tangamani: Sir, there is an item: Shri Jagjivan Ram to make a statement regarding decision taken by the Government on the recommendations of the Railway Freight Structure Enquiry Committee for the revision of the freight structure. I want to know whether it has been laid.

Mr. Speaker: He will do so later

Shri Tangamani: He is making a statement on that later on But I want to know whether that particular report of the Committee has been laid on the Table.

Mr Speaker: Let us wait and see.

12·29 hrs

ARREST OF TWO MEMBERS

Mr. Speaker: I have to inform the House that I have received the following wireless message dated the 17th August, 1958, from the District Superintendent or Police, Ahmedabad City:—

"Sarvashri Indulal Kanaiyalal Yajnik and Karsondas Parmar, Members, Lok Sabha, arrested at 8-15 hours today at Ahmedabad for breach of District Magistrate, Ahmedabad's notification under section 144 Criminal Procedure Code".

12.30 hrs.

DETENTION AND RELEASE OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following telegram dated the 17th August, 1958, from the Deputy Superintendent of Police, Kalol:—

> "Shri Purushottamdas R Patel, Member, Lok Sabha, restrained near Dharamsala Tower Chowk, Kalol, under section 69 of the Bombay Police Act, today at 16-45 hours and was allowed to go under the same section at 18-30 hours today, the 17th August, 1958"

Shrimati Renu Chakravartty (Basirhat) What does it mean?

Mr. Speaker: He has been released I am not able to follow what exactly she says

Shri Tangamani (Madurai) Released when?

Mr Speaker: I have only read out the message I am not competent to comment Let us wait and see what exactly will happen Hereafter I hope the hon Home Minister will instruct the various persons who have to send messages like this when Members of Parliament are arrested, to give complete information instead of couching it in dubious language like this He could easily have said that he was released on bail or something like that I hope instructions will be issued accordingly

Shri Braj Raj Singh (Firozabad) The place of detention has not been mentioned

Mr. Speaker: All details will hereafter be given to us

12.31 hrs.

ESTATE DUTY (AMENDMENT) BILL

REPORT OF SELECT COMMITTEE

Shri C R. Pattabhi Raman (Kumbakonam) Sir, I beg to present the Report of the Select Committee on the Estate Duty (Amendment) Bill, 1958

12.31 hrs.

STATEMENT ON NEW FREIGHT STRUCTURE (RAILWAYS)

The Minister of Railways (Shri Jagjivan Ram): Sir, the House will recollect that during the discussions on the Budget in the month of February this year, I had promised to make a statement when the recommendations of the Railway Freight Structure Enquiry Committee had been fully considered

The examination in regard to the freight scales has since been completed, and after due consideration decisions have been taken by the Government

I lay on the Table of the House a statement giving broadly the features of the freight rate structure as it now prevails, the main recommendations in regard to the structure as made by the Freight Structure Enquiry Committee, and the modifications which the Government have deemed necessary in the proposals of the Committee [*See* Appendix II, annexure No 21]

As will be seen from the statement, the new rates will take effect from the 1st October, 1958 From the same date, there will be revision of the scales of rates for parcels traffic, and both the new goods rates and parcels rates will be expressed in the decimal coinage.

As estimate of additional revenue on goods traffic from the new scales of rates, at the present level of traffic, of Rs 9 6 crores per year, has been given in para 17 of the statement The additional revenue yielded from the revised parcels rates is expected to be about Rs 2 crores per year

I would like to explain, in this connection, that these additional revenue yields are without making any allowance for the additional responsibility for loss and damage to goods, which the Committee have recommended that the Railways should undertake as common carriers instead of as bailees as at present. The Committee have

stated that this change-over should take effect within one year of the introduction of the revised rates structure.

This matter is receiving attention, and should the responsibility of the Railways as carriers be enhanced as has been recommended, there will undoubtedly be substantial additional expense to the Railways by way of increased payments for compensation. In the absence of factual data, it is difficult to assess what the quantum of these extra payments will be, but Railway Officers of experience in compensation claims work guess that it might well be of the order of Rs. 2 to Rs. 3 crores. After the examination of this matter has been completed, necessary legislation to implement this recommendation will be put through.

Before I sit down, Sir, I will take this opportunity of expressing my appreciation of the valuable work of this Committee.

12·36 hrs.

STATEMENT *RE.* CHANGES IN THE RAILWAY BOARD

The Minister of Railways (Shri Jagjivan Ram): Sir, I have one other decision to announce.

The House is aware that the Railway Board at present consists of the Chairman, the Financial Commissioner and three other Members. Each Member of the Board, including the Chairman, has certain functional duties specially assigned to him. The Chairman is the *ex-officio* Secretary to the Ministry of Railways and the Financial Commissioner, since the announcement made by the late Shri Gopalaswami Ayyangar in his Budget Speech for the year 1951-52, functions as the Secretary to this Ministry in financial matters. With the considerable growth of work in the Ministry and increasing specialisation in the technical field, it is not possible for one man to attend to all matters requiring disposal at the Secretariat level. Other Members, therefore, deal with such matters as lie in their respective spheres.

I have, therefore, decided to regularise and clarify this position so as to obviate any difficulty in their dealings with other Ministries, Parliamentary Committees and all Government and outside Organisations. Every Member of the Railway Board will henceforth be *ex-officio* Secretary to the Ministry of Railways, in respect of the subjects which are in his charge. The Chairman will be the principal Secretary to the Ministry and will retain his existing position in the Railway Board to ensure proper co-ordination, so that the Board might function as a corporate body and work as a team.

The change has no financial implication as all the Members already draw the same emoluments as the Secretaries to the Ministries.

Shri Harish Chandra Mathur (Pali): May I know whether the House will be afforded an opportunity to discuss this before the new freight structure comes into effect?

Shri Jagjivan Ram: I said I wanted to inform the House; and I am placing the decision of the Government on the Table

Shri Harish Chandra Mathur: There are two ways. One is the Minister himself will have to bring a Bill to give effect to these recommendations from 1st October as has been pointed out. But may we know whether this Bill is going to be discussed within the course of this session? If it is not going to be discussed within the course of this session, then, these rates will come into operation without this House having had an opportunity to discuss them. May I know what is the exact position?

It is open to Members to move a motion and see that this matter is

[Shri Harish Chandra Mathur]

discussed Could we know the exact position? If we know it from the hon Minister we will be able to adjust our activities

Shri Jagjivan Ram: Any Bill or Act is not necessary for giving effect to any change in the freight rates or parcel rates Therefore, the question of any Bill having been brought before this House is not relevant It is not the intention that this matter should be discussed because a Committee was appointed on which Members of this House were represented They have gone into the question and Government had considered the recommendations As I undertook to inform the House before effect was given, I am placing the decision of Government for the information of the Members of the House

Shri Tangamani (Madurai) In view of the importance of this Report, I submit that copies of it may be circulated to all the Members

Mr Speaker: Yes

Shri Jagjivan Ram I cannot say; but, we have made a copy of the Report available in the Library of the House and, Sir, if you think that more copies are required, we will place some copies at your disposal

Mr. Speaker: Any Member who wants that can take it from the Library What is the difficulty?

12.38 hrs.

MINUTES OF ESTIMATES COMMITTEE

Shri B. G Mehta (Gohilwad) Sir, I beg to lay on the Table of the House a copy of the minutes of the sittings of Estimates Committee held during the year 1957-58, Vol I, Nos. 1 to 3.

12.39 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move that the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration

This is a matter which deals with the question of service of summons and execution of warrants in the State of Jammu and Kashmir or in the rest of India In this respect, as you are aware, there is already a section, namely section 93A of the Code of Criminal Procedure But it deals with only two of the four matters with which it ought to have dealt. You will find that it deals only with the summons to be served on the accused or the warrant for the arrest of the accused Two matters were left out by inadvertence and they are search warrants and summons to produce documents of things

You are aware that so far as the courts of Jammu and Kashmir are concerned, they are governed by their own Code of Criminal Procedure In the rest of India, except where there has been a provision according to which the Code of Criminal Procedure is not made applicable, it applies to the whole of India A reciprocal measure was necessary Section 93A dealt with this question to a certain extent This omission was in respect of two important matters, namely, the search warrants and also summons for the production of documents. Difficulty was felt in this respect both in India as also in the State of Jammu and Kashmir and the matter was such that it had to be dealt with almost immediately Therefore, both here and in the State of Jammu and Kashmir, Ordinances were issued in June this year so as to make it possible for the respective courts to have powers for the purpose of proper execution or service of these four matters, in respect of only two of

which there was already a provision Now, a Bill has been brought forward with a view to have the position absolutely clarified

You may be aware that only a few days ago, the legislature in the State of Jammu and Kashmir had also recourse to such a Bill and if I am not mistaken it has already been passed In the present Bill, section 93A of the Criminal Procedure Code has been omitted and a new chapter, Chapter VIIA, has been added and 105A is the important section in this connection

All the four matters have now definitely been clarified service or execution of a summons to an accused person a warrant for the arrest of an accused person, a summons to any person requiring him to attend and produce a document or other thing, or to produce it, or a search warrant These are the four matters in which reciprocal provisions were necessary and all these have been incorporated now Two points have now been made clear one is that when summons or warrants, etc issue to the courts in Jammu and Kashmir, provision has been made as to how they are to be sent If a report is received that they have been duly served or executed, then the presumption arises that they have been properly executed according to section 74 of the Criminal Procedure Code In case any such summons or warrants are issued by a court in Jammu and Kashmir and sent out to other parts of India for execution or service it has been made clear that they are to be so served or executed as if they were summons or warrants by a criminal court in India under the Criminal Procedure Code The particular procedure that is to be followed in respect of such summons or warrants had they been issued by a court in India would be applicable also to such summons and warrants issued by the court of Jammu and Kashmir They are more or less matters of procedure and the whole thing has been put in properly The whole procedure has been clarified so that there would be no difficulty at all for service or execution of summons either in India or in the State of Jammu and Kashmir when one issues them and sends them to the other for proper service or execution I am confident that this Bill will command itself to the approval of the House

Mr. Speaker Motion moved

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration"

Shri Asoka Mehta (Muzaffarpur) Sir, the hon Minister just now has stated that this amending Bill becomes necessary because certain powers had been left out inadvertantly I am not a student of the Procedure Code and therefore, I cannot say anything on that subject But this Ordinance had to be issued because some special emergency must have arisen If the Government merely thought that certain powers were to be obtained normally an amending Bill would have come up But an Ordinance was issued evidently because the Government in Jammu and Kashmir or some authorities here have felt that matter had to be done urgently and suddenly What was the urgency? The Minister has not told us about that I believe that it was Miss Mridula Sarabhai's house which was searched immediately after this Ordinance was issued Probably this Ordinance was necessary in order to enable that search to be carried out As far as Miss Sarabhai is concerned, the Government of India was fully aware of whatever she was doing for a long time in this House and outside, rightly or wrongly, various questions had been raised in that connection It is very difficult for me to understand as to whether the contingency of having to search some house here in connection with some developments in Jammu and Kashmir was not anticipated What is this inadvertence? These defects have been

[Shri Asoka Mehta]

there for the past few years I have no desire to go futher into that matter because that does not arise just now But no emergency had arisen or was likely to arise which could not have been anticipated Why was it necessary for the Government to get the President issue an Ordinance? Why was it not anticipated? To the best of knowledge, only one house has been searched under the special powers Whether other houses should be searched or not, it is for the Government to decide and I have no question to ask on that point Was any incriminating material found during that search? I am raising this point for this reason that immediately after the search that lady was put under detention, I presume not at the instance of the Jammu and Kashmir Government

Mr Speaker. An individual case is not the subject matter of this Bill

Shri Asoka Mehta An Ordinance had to be issued They say that this was because of an inadvertence and suddenly an emergency arose They must justify that there was an emergency I am not saying that this particular amendment is necessary or not necessary because I am not, as I said, a student of the Criminal Procedure Code I cannot speak on that subject But it is necessary for the Government to make out a case that an emergency had arisen I find that the Government have detained that lady It means that the Government must have some material Again, I am not going into the question whether the detention is right or wrong because that is not my purpose If the Government had materials before them for which they can put a person under detention, surely there could not have been an emergency I am arguing from both ends As far as the Jammu and Kashmir Government is concerned, it knew that these things were happening We know the statement made by Bakshi from time to time that this particular lady here was indulging in activities which he considered to be harmful to his State and to his Government Immediately on the heels of the search carried out in her house, she has been detained It means that the Government must have had some material on the basis of which they have got her detained But what was this emergency? Why was this not done in the last session, or earlier, during the last five years? Or why did not they wait for a few days when the Parliament would be meeting? After all this power to issue Ordinance must be utilised properly And it is, I hope, Sir, you will agree with me, the responsibility of the Minister to justify why this Ordinance was issued I am not as I said, saying anything about the need or otherwise of this particular amending Bill, but I think the House is entitled to find out from the Minister what that emergency was which was not anticipated and I just took your time a little in order to explain from my point of view how either this emergency could have been anticipated, and if it could not have been anticipated surely there could not have been an emergency at all Therefore, Sir he should give us the reasons I would request you to call upon the Minister to give us the reasons justifying the issuing of the Ordinance, whereby this amending Bill had to be brought here with this haste in order to, more or less, regularise an Ordinance that has been issued

Shri P S Daulta (Jhajjar) Sir, I stand to support the contents of the Bill, but I protest, rather strongly protest, with regard to the method in which, and the specific purpose for which this change was sought to be brought about So far as the merits are concerned, as the Statement of Objects and Reasons says, there is nothing new, only two additional special rules are going to be added

I want to submit that for a considerable time from 1898 to 1941, there was no specific provision for any special law whatsoever in the C.R.P.C. At that time the position was like

this. India was divided into what was then known as the British India and the native States. The C.R.P.C. extended only to British India, and if a person committed a crime in British India and made good his escape in the nighbouring native States, there was no provision in the C.R.P.C. to enforce his appearance. The only course was to have extradition proceedings, and that was so lengthy and complicated that before the man was arrested the evidence would have almost gone. Therefore, it was for the first time in 1941 that by virtue of section 2 of Act XIV of the Criminal Procedure Act special rules came in and two sections—93A and 93C were inserted in the C.R.P.C. It continued to serve the purpose of execution of warrants and service of summons till 1945. In 1945 that amending Act was repealed, but the courts held that these two special sections should continue to stay in the C.R.P.C. When the distinction of British India and Indian India was removed in 1951 by Act No. I, we had another amendment and we got this present section 93A, which is now going to be substituted.

I have traced history only to make it clear that from 1941 upto 1958 difficulties had been there in this regard, but the Central Government did not move to remove those difficulties. I would like to quote a reported case of Calcutta—AIR 1955, Calcutta 277—where a magistrate from Srinagar sent a warrant for execution to the Presidency Magistrate, Calcutta.

Mr. Speaker: On what date?

Shri P. S. Daulta: Date is not necessary.

Mr. Speaker: What year was that?

Shri P. S. Daulta: 1955. In 1955 an arrest was made under this warrant, but later on the court held that the arrest was illegal because section 93A was not applicable to the Police Commissioner there and the Bengal Government did not make section 93A applicable to that Presidency Town. Similarly, a case is reported of the Madras High Court—AIR 1953, Madras 953—and in that case the arrest could not be made because 93A was not made applicable there. What I want to point out is that those difficulties existed even before, but for the last 17 years Government did not find it convenient to bring this change.

And, all of a sudden an Ordinance has come. In the Bill which is meant to regularise that Ordinance, it is incumbent on the Government to give in the Statement of Objects and Reasons the reasons why this Ordinance was promulgated, what was the emergency then which was not there before. The reasons are neither given in the Statement of Objects and Reasons nor were the reasons given in the speech of the hon. Deputy Minister and, therefore, we have justifiably to go on the knowledege that we get through the newspapers.

Sir, it is a hard fact that in Kashmir and outside Kashmir there existed an element in our public life—it may be good, it may be bad, I am nobody to issue a certificate; but the element of activities was certainly anti-national, certainly against the interests of Kashmir. Those people indulged in propaganda which was highly objectionable. Sir, I am not to be taken as their sympathiser, nor my party, because we, my party, were the first persons, both inside the House and also outside, to expose that element. We criticised that element, when my friends on the other side were saying that it was not proper.

Therefore, Sir, I am not saying this as their sympathiser, but as a student of law I am unable to understand this way of doing things. What I want to protest against is that the Government failed to meet their propaganda by counter-propaganda, meet their speeches with counter-speeches. We used to get with our tea every morning a bundle of papers from a prominent lady, whose name was mentioned by my friend over there, and it was such a regular supply that

[Shri P. S. Daulta]

we were wondering from where she could get so much funds. We did not get any papers containing counter-propaganda by the Central Government or the Kashmir Government. For two years we did not get any such papers. All of a sudden we heard through the Press—Government has a way of doing things; they rely very much on their administrative powers—that some action was going to be taken against that prominent lady.

The point is this. If a change is made in the law, whether the law is procedural or otherwise, keeping in view a particular case which is in court, or is likely to go before any court, or it is before the authorities, with a view to smoothen the way of that particular case, then that change is not only *mala fide*, it is highly undesirable. Therefore, because of the way they have adopted, by first coming in with an Ordinance and then seeking to get it substituted by this Act, they shall have to explain why this was done through an Ordinance.

I support the contents because, so far as the change is concerned, it is highly desirable. This will enable the courts, not only at the investigation stage but actually at the time of administration of justice, to discharge their duties. These provisions will be very helpful, but the way in which they have been made, through an Ordinance keeping in view a particular case or cases which were likely to be tackled by the authorities and then try to amend the law, whether it is procedural or otherwise, is not a desirable way of doing the thing.

With these words, Sir, I support the contents of the Bill.

Shri C. R. Pattabhi Raman (Kumbakonam): Mr. Speaker, Sir, we are not called upon to discuss the competency of the President, when the House was not sitting, to issue the Ordinance.

Shri Asoka Mehta: Why?

Mr. Speaker: All that the hon. Member means is that the President, under the Constitution, is competent. But that is not the point raised. The question was whether he ought to have done it or not.

Shri C. R. Pattabhi Raman: I was very careful, Sir, in using the word 'competency'. Is he out of jurisdiction, is he falling short of the channel when he jumps; that is the question. He has got the powers. There are three Ordinances that have been issued—now that I have been interrupted, I may point out that. There was condemnation with regard to the others, but with regard to this there has been nothing at all so far, and I do not think it is anybody's desire that our jurisdiction should not extend as soon as possible, as fully as possible, to Jammu and Kashmir.

Mr. Speaker: I understood Shri Ashoka Mehta to say that Ordinance ought not to be resorted to normally, whatever might be the need for it, and he says that either the Government must have anticipated it earlier or waited for some time more.

13 hrs.

Shri Asoka Mehta: It could have been anticipated.

Mr. Speaker: That is all his point

Shri C. R. Pattabhi Raman: If I may say so, I was very guarded in my statement. I am not concerning myself with the policy.

Mr. Speaker: The simple point is only this. Nobody denies the need for reciprocal arrangement regarding this matter. Therefore the Ordinance was issued. Mr. Mehta does not impeach the competence of the President to issue Ordinances when the House is not in session. All that he asks is: why do you not anticipate these things.

Shri Asoka Mehta: Article 123 of the Constitution says:

> "(1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require"

The Minister has now to satisfy the House that circumstances existed which necessitated the issue of the Ordinance Otherwise the Ordinance could not have been issued

Mr. Speaker. The hon Member in his speech did not go to that extent Circumstances might have existed, but why could not Government anticipate them

Shri Asoka Mehta. Even then I said he must give us the reasons The House should be told why this was done I read this article out, because my hon friend opposite was trying to give a wider context to the discussion Nobody denies that the President was competent to issue the Ordinance But why could the normal course of administration not be followed?

Shri C. R. Pattabhi Raman. Without a search warrant the documents could not be seized They had to deal with this lacuna

Mr Speaker. Nobody denies that without the help of the Ordinance no search could be made and a warrant could not be executed But why was it not anticipated and a Bill brought in the previous session That is the simple point The hon Minister

Several Hon. Members *rose*—

Mr. Speaker: Can they not speak on the clauses?

Ch. Ranbir Singh (Rohtak). I would like to reply to the question of my hon friend as to what was the necessity of promulgating this Ordinance.

Mr. Speaker: Ch Ranbir Singh

This is a small Bill, let us get it through early.

चौ० रणवीर सिंह अध्यक्ष महोदय, अभी हमारे कुछ साथियों ने इस बात का जिक्र किया कि आर्डिनेंस लागू करने की क्या आवश्यकता थी। वे शायद दस पद्रह दिन पहले जो वाकात भारत में तथा ससार के अन्य भागों में हुए, उनको शायद पानी की कमी की वजह से भूल गये हैं।

एक माननीय सदस्य : पानी की कमी तो आज हुई है।

चौ० रणवीर सिंह आज ही आपने यह सवाल किया है। जो कुछ मेहता साहब ने कहा है, मैं उस से सहमत नहीं हू लेकिन अगर यह मान भी लिया जाए कि कुछ खास केसों को ख्याल में रख कर के आर्डिनेंस लागू किया गया था तो भी मैं इस में कोई आपत्ति नहीं देखता हू क्योंकि उस वक्त जो हालात थे उन में ऐसा करना जरूरी हो गया था। उसके पहले जब सैशन बैठा था उस वक्त और बीच में कुछ ऐसे हालात थे कि अगर कोई साथी कुछ थोडा बहुत देश का नुकसान प्रचार से करना चाहे तो उसका प्रचार से ही मुकाबला किया जा सकता था। लेकिन चन्द दिन पहले दुनिया के अन्दर लडाई के बादल छा रहे थे और एक खतरा मालूम देता था कि कहीं ससार के अन्दर लडाई न छिड जाए। ऐसे हालात में मैं यह मानता हू कि यदि होम मिनिस्ट्री राष्ट्रपति जी से यह दरख्वास्त न करती कि यह आर्डिनेंस लागू किया जाय तो शायद वह अपने फर्ज में कोताही करती और उसने ठीक तौर पर और ठीक समय पर

[चौ० रणवीर सिंह]

प्रधान से दरख्वास्त की कि वे आर्डिनेन्स को लागू करके इस कमी को पूरा करें।

Shri Achar (Mangalore) I would like to say a word about the propriety of promulgating this emergency legislation The point that was raised was that even as early as 1942 or so, this lacuna or defect in the law was pointed out by the Calcutta High Court and later by the Madras High Court It is not objected that the provision is useful and necessary All that is stated by the Members of the Opposition is that this could have been anticipated earlier and there was no need for such emergency legislation by the President

I would only say this much Probably this was the last straw on the camel's back Everybody knew this lady was doing this propaganda But Government might not have realised, or might not have found it necessary to have such legislation This defect came to notice when Government came to the conclusion that they should put a stop to this false propaganda At that juncture probably the defect was realised and the Ordinance was issued

Even if it is a fact, I am not able to understand the argument on the other side that there was no emergency at that point of time If in the political conditions existing then, it was considered that such a legislation was absolutely necessary in the interest of the country, was there anything wrong in promulgating emergency legislation? I do not find anything wrong about it I, therefore, submit that this legislation by the President was perfectly proper It is not a question of competency Nobody questions the competency I consider this measure to be proper and support this Bill

श्री बाजपेयी (बलरामपुर) अध्यक्ष महोदय, सवाल यह नहीं कि इस अध्यादेश के अन्तर्गत सरकार ने एक महिला के विरुद्ध जो कार्यवाही की वह ठीक है या गलत है। सवाल यह है कि जब संसद् का सत्र हो रहा था और यह सवाल संसद् में उठाया गया था तब इस तरह का कदम सरकार ने क्यों नहीं उठाया और अगर उस समय नहीं उठाया तो क्या सरकार संसद् के वर्तमान सत्र के लिए थोड़े दिन रुक नहीं सकती थी। जो भी कार्यवाही की गई है उसका शायद सभी समर्थन करेंगे लेकिन जिस ढंग से वह की गई है, माननीय मन्त्री महोदय को यह जस्टीफाई करना है कि जिस समय कार्रवाई की गई है वह ठीक समय पर की गई और ठीक ढंग से की गई। मुझे याद है कि पिछले अधिवेशन में यह प्रश्न यहां उपस्थित किया गया था और प्रधान मन्त्री महोदय ने कहा था कि जो भी प्रचार किया जा रहा है उस सम्बन्ध में हम और अधिक क्या कर सकते हैं। और अधिक क्यों हो सकता था यह इस आर्डिनेन्स से प्रकट हुआ। जब सत्र बैठ रहा था तब सरकार एक नियमित विधेयक लाकर कार्रवाही कर सकती थी। यदि उस समय वह विधेयक को नहीं लाई तो बाद में इस सत्र के लिये सरकार थोड़े दिन रुक सकती थी।

जिस प्रश्न का उत्तर माननीय मन्त्री महोदय को देना है वह यह है कि जिस समय यह आर्डिनेंस लाया गया क्या उस समय ऐसी परिस्थिति थी कि सरकार संसद् के अधिवेशन के लिए थोड़े दिन रुक नहीं सकती थी। जहां तक जो कार्रवाई की गई है उसका सम्बन्ध है, प्राय सभी ने उसका समर्थन किया और मुझे भी उस सम्बन्ध में अधिक कुछ नहीं कहना है।

Shri U. C. Patnaik (Ganjam) Mr Speaker, I welcome this Bill as well as the Ordinance before the House I would submit that this Bill or the Ordinance was already overdue for a

long time. In fact, a number of other Bills also will have to come if we want to retain the Jammu and Kashmir State in India, because the situation is such that apart from the fact that the other side is concentrating on bases and on foreign weapons all round Kashmir, it will be an easy matter for them if they can use those foreign weapons— American weapons— to destroy a couple of bridges and occupy a portion of that country It is high time that our Government, both on the defence side as well as on the home side, realised the urgency of these various measures to retain the Jammu and Kashmir State in India

It is really going to be a menace if fifth columnists are active in India as well as elsewhere Therefore it was really high time that our Government took some such measures in order to ensure the continuance of Jammu and Kashmir as part and parcel of this country We are happy that after so much of agitation so much of complaints and so much of newspaper reports, the Home Ministry woke up to its responsibility and on the 10th June at least got an ordinance promulgated to see that fifth columnists in India can be proceeded against if it is found necessary

Although the objection of my hon friends on this side is to some extent valid, namely, that Government should have anticipated these things early and should have taken action earlier I would still welcome the belated action, and I would say that the Ordinance came in time and, had it not come, and had they waited till this session then probably things would have been going on and a lot of propaganda in the international sphere would have done harm to our own cause Therefore I am sure that the Ordinance as well as the Bill are necessary in our national interest and they will be the precursor to a number of other Ordinances and Bills to ensure the safety and security of this country

श्री यादव (बाराबंकी) अध्यक्ष महोदय, मुझ से पूर्व बोलने वाले वक्ता ने कहा कि वह इस आर्डिनेंस और इस विधेयक दोनो का स्वागत करते हैं। मैं जहा तक इस विधेयक का प्रश्न है और इसकी स्पिरिट का सवाल है, मैं उसका स्वागत करता हू लेकिन आर्डिनेंस जैसी भी शक्ल में हो, मै उसका सदैव ही विरोध करता रहूगा ।

जैसा कि बहुत से माननीय सदस्यो ने कहा आर्डिनेस को एक्टायड किया जा सकता था और मैं भी चाहता हू कि इसको एक्टायड किया जाए । इस सवाल की एक दूसरी भी शक्ल है । जम्मू और काश्मीर का जो प्रश्न है यह कोई नया प्रश्न नही है। यह बहुत पुराना है । मैं तो चाहूगा कि केवल इस कोड आफ क्रिमिनल प्रोसीजर की तरमीम कर के किसी एक स्थिति का मुकाबला कर लेना ही काफी नही है जैसा कि यहा पर किया जा रहा है। मृदुला साराभाई द्वारा जो प्रचार कार्य हो रहा था सरकार उसको दबाने के उद्देश्य से ही इस क्रिमिनल प्रोसीजर कोड में तरमीम करने जा रही है और उसी उद्देश्य से यह कार्यवाही की जा चाहती है । यह अच्छी बात नही है और ना ही होनी चाहिये । लेकिन मैं चाहूगा कि जम्मू तथा काश्मीर को भी वही दर्जा दिया जाए जो भारत की अन्य रियासतो को, अन्य राज्यो को मिला हुआ है तथा उस में तथा भारत के अन्य राज्यो में कोई फर्क न किया जाए । इस उद्देश्य को प्राप्त करने के लिये यह आवश्यक है कि सुप्रीम कोर्ट का जहा-तक सवाल है उसकी पूरी की पूरी जुरिस डिक्शन जम्मू तथा काश्मीर पर हो । इस के साथ ही साथ जहा तक चुनावो का सम्बन्ध है मै चाहूगा कि जो इलैक्शन कमीशन है उसका पूरा पूरा अधिकार उस राज्य पर हो । यदि आप जम्मू तथा काश्मीर के

[श्री यादव]

प्रश्न को ठीक ढंग से हल करना चाहते हैं तो वह उस तरह से नहीं हो सकता जिस तरह से कि आप करना चाहते हैं। आए दिन किसी आर्डिनेंस के द्वारा किसी खास स्थिति पर काबू प्राप्त करने के लिए कोई खास कानून बाद में बना देने से काम नहीं चलेगा।

जहां तक इस आर्डिनेंस का प्रश्न है मैं इसका विरोध करता हूं मगर जहां तक इस बिल की स्पिरिट का सम्बन्ध है, मैं इसका स्वागत करता हूं। जो वर्तमान सैशन चल रहा है मुझे तो लगता है कि जैसे यह सैशन आर्डिनेंस सैशन है, यह सत्र अध्यादेशों का सत्र हो गया है। चार चार आर्डिनेंस इशू किये गये है। कुछ पर तो विचार हो चुका है या हो रहा है और अभी और भी विचारार्थ प्रस्तुत किये जाने बाकी हैं। बनारस हिन्दु विश्वविद्यालय के सम्बन्ध में जो आर्डिनेंस जारी किया गया था उस पर विचार हो चुका है। एक पर आज विचार हो रहा है। शूगर के सम्बन्ध में जो आर्डिनेंस जारी किया गया था उस पर विचार होना अभी बाकी है। असम फोर्सिस के बारे में जो आर्डिनेंस जारी हुआ है उस पर अभी विचार होना है। ऐसा मालूम पड़ता है कि सरकार ने कुछ ऐसी आदत सी बना ली है कि चाहे सदन बैठ रहा हो कुछ दिन बाद या बैठ चुका हो उसके कुछ दिन बाद ही आर्डिनेंस जारी कर दिया जाए और इस सदन को विचार का मौका बाद में प्रदान किया जाए। अध्यादेश जारी करने का उसने दूसरा रास्ता निकाल दिया है। इस से एक चीज टपकती है और वह यह कि सरकार तानाशाही की ओर बढ़ रही है और मन माने ढंग से काम चलाने की ओर बराबर चलती जा रही है। कोई अच्छी चीज भी हो सकती है लेकिन अच्छी चीज को भी बुरे ढंग से करके उसकी अच्छाई को नष्ट कर दिया जाता है। यदि सरकार गम्भीरता से विचार करे तो शायद अच्छी चीज को भी वह अच्छे ढंग से कर सकती है और बुराई को दूर कर सकती है। यदि वह ऐसा करे तो वह इस सदन का और बाहर के लोगों का सहयोग प्राप्त करने में सफल हो सकती है। ऐसा न करके तरा मनमाने ढंग से उस चीज को करके अच्छी चीज को भी वह बुरा बना देती है।

जहा तक इस आर्डिनेंस का सम्बन्ध है, मैं इसका विरोध करता हूं लेकिन जहां तक भारत के अधिकार क्षेत्र के जम्मू तथा काश्मीर तक बढाये जाने का ताल्लुक है, मैं उसका स्वागत करता हूं। इसके साथ ही साथ मैं यह भी कहना चाहता हूं कि सरकार इस सम्बन्ध में भ विचार करे कि जम्मू तथा काश्मीर तथा भारत के अन्य राज्यो में कोई अन्तर न रहे और इस दिशा मे क्षीघ्र ही कदम उठाये जाये।

Shri Datar: Mr Speaker, two points have been raised in the course of this debate One is that the Ordinance ought not to have been issued at all. Either the Government should have anticipated or they should have waited The second objection is that there is a long delay since this need was felt and nothing was done during the 17 long years and that now whatever necessary has been done, has been done not by bringing a Bill but by having an Ordinance promulgated.

So far as the question of promulgation of the Ordinance is concerned, I am not going to depend solely upon the technical objection. The technical objection is to the effect that under article 123, it is for the President to be satisfied. So, the satisfaction is the President's subjective satisfaction. He is not called upon to satisfy any other authority or even this House, because it has been further pointed out that the Ordinance would lapse after a certain period.

Therefore, so far as the technical aspect is concerned, this satisfaction that is spoken of is the satisfaction of the President, naturally under the Constitution on the advice of the Government of India.

But it might also be noted that so far as the merits of this amending Bill are concerned, almost all the Members are agreed. They agree that such a Bill ought to have been brought forward earlier. They also agree that section 93A was incomplete in certain respects. If it was incomplete in certain respects, as my hon. friend has pointed out, there were certain rulings of the courts. Still, the question arose whether this particular amendment was necessary at all. It might be a coincidence that there was a particular case to which my hon. friend has made a reference at a particular time. But when the Government found that there were certain handicaps in the law, certain provisions had not been made in the law, we have to take into account the difficulties felt by the Government of India on the one hand and also by the State of Jammu and Kashmir on the other. Both agreed that certain provisions or certain reciprocal provisions ought to be incorporated in both the Acts, and secondly, when they felt that this ought to be done as early as possible they felt that when certain deficiency is found in the law the sooner it is made up or cured, the better.

Therefore, I am pointing out that when this particular difficulty was felt by both the Governments, the Goverment of India and the Government of the State of Jammu and Kashmir, both of them agreed that there ought to be specific provisions for the execution of service warrants issued by one State in the other. Therefore it was felt that this was a matter which required the immediate attention of Government. Naturally, if some immediate attention was required, it can be done under article 123 only by the issue of an Ordinance, because Parliament was not in session. Under the circumstances, the President was satisfied that there was a genuine difficulty. About the genuine difficulty, all hon. Members also agree. They say that there was a lacuna in the law so far as section 93A of the Criminal Procedure Code was concerned. They further say that such a lacuna ought to have been filled in during the last session of the Parliament or the Government ought to have waited.

Now, it was felt by both the Governments—Government of India and *Government of Jammu and Kashmir*—that this matter should be attended to almost immediately. That was why the President of the Indian Republic issued an Ordinance and a similar Ordinance was issued in the State of Jammu and Kashmir. So, under those circumstances, the President was fully justified in having this Ordinance promulgated This also answers the question raised by my hon. friend that there was considerable delay. Assuming that there was delay, it was quite likely that judicial courts might have taken some view, but when the matter becomes of such a serious nature as to require a change in the law, then naturally the Government comes into the picture. This was the position that arose in or about June, 1958. That was why even though there were certain observations by certain courts, the difficulty was very acutely felt in or about June, 1958. So this particular Ordinance was issued and immediately after this House re-assembled, this Ordinance has been placed on the Table of the House and the present amending Bill has also been placed before the House.

It is not necessary for me to reply to any other point, because none has been raised, especially so far as the merits of the measure are concerned.

Mr. Speaker: The question is:

> "That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

The motion was adopted.

Mr. Speaker: There are no amendments to the clauses

The question is

"That clauses 2 to 4, clause 1, the Enacting Formula and the Title stand part of the Bill"

The motion was adopted

Clauses 2 to 4, clause 1, the Enacting Formula and the Title were added to the Bill

Shri Datar: I beg to move·

"That the Bill be passed"

Mr. Speaker: The question is·

"That the Bill be passed"

The motion was adopted.

13·24 hrs

ARMED FORCES (ASSAM AND MANIPUR) SPECIAL POWERS BILL

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move·

"That the Bill to enable certain special powers to be conferred upon members of the armed forces in disturbed areas in the State of Assam and the Union Territory of Manipur, be taken into consideration"

As the House is aware, in the Naga Hills District and Tuensang area, owing to the hostile activities of certain misguided sections of the Nagas, Government has to take special measures to restore normalcy The matter has come up before this House from time to time So, it is not necessary for me to give a connected account of all that has happened there

Sometime back, in 1956, the armed troops had to be brought to render assistance in this Naga Hills—Tuensang area At that time, a regulation, more or less on the lines of this Bill, was applicable to that area. The misguided Nagas have been indulging in mischievous activities and the administration there took special measures to quell their activities and to put an end to the hostilities there. With the combined efforts of all concerned, there has been considerable improvement in that particular area which was formerly disturbed.

Last year more or less about this time, a convention of Naga representatives met and they resolved that hostilities should be brought to an end, that the claim for independence should be abandoned and that the Government of India should be asked to help in measures for relief, etc. Since then, those representatives have been there in that Naga Unit, as it is now called Hon Members might just recall that we had to bring a Bill for that purpose, in order to give a sort of self-contained status to this unit There has been, as I said, through the use of forces against the miscreants and the extension of works of relief, etc, great improvement in this area, but the hostile Nagas who have not yet reconciled themselves to the line that has commended itself to a vast majority in the Naga Union Territory, have now shifted their scene of activity from this unit to other neighbouring units of Assam and Manipur There they are indulging in arson, murder, loot, dacoity, etc So, it has become necessary to adopt effective measures for the protection of the people in those areas In order to enable the armed forces to handle the situation effectively, wherever such problems arise hereafter, it has been considered necessary to introduce this Bill.

This is a very simple measure. It only seeks to protect the steps that the armed forces might have to take in the disturbed areas. It is not possible over such a vast area to depute civil magistrates to accompany the armed forces wherever there may

be trouble, because it happens unexpectedly. They might intrude into any village and action has to be taken immediately.

So, the regulation that was imposed and that is imposed in the Naga Unit is now being virtually extended to the disturbed areas of Assam and Manipur. But it will be applied only to such parts as have been declared by the administrations concerned as being disturbed only when some dacoities or other heinous offences have been committed in a locality and the administration has reached the conclusion that it is necessary to declare that area as a "disturbed area"; then such a declaration will have to be made and after such a declaration has been made, then alone the provisions of this Bill will be applicable to that particular area I do not think it is necessary for me to say more in this connection. It is a simple measure It does not create any new offences. It only provides for the protection of the army when it has to deal with hostile Nagas As I said, they have been virtually squeezed out of the Naga land. Now things have improved there Schools are running. Those school buildings which had been burnt by them are being re-built and the children are attending schools. In other ways too, normal life is being restored. But some among them do not take a reasonable view of things and they go out of their area and attack the Assam border or the Manipur border and raid villages there and commit similar crimes in those areas. It is with a view to put an end to those wanton raids etc. that this Bill has been framed. An Ordinance had to be issued, as in the affected areas of Assam and Manipur, necessary protection became urgently imperative and immediately necessary. So, this Bill has to be introduced. I hope the House will adopt it unanimously. I move.

Mr. Speaker: Motion moved:

> "That the Bill to enable certain special powers to be conferred upon members of the Armed Forces in disturbed areas in the State of Assam and the Union Territory of Manipur be taken into consideration"

Shri Mahanty (Dhenkanal): I want to raise a point of order My point of order is that we cannot proceed with this Bill unless certain constitutional obligations imposed under article 352(1) of the Constitution are fulfilled. It can be said that this particular legislation does not come under the impact of the emergency conditions as enumerated in Chapter XVIII of the Constitution But certain parts of it do directly come under Chapter XVIII of the Indian Constitution. In this context, I invite your attention to clause (6) of the Bill, which says:

> "No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act"

This immediately takes away, abrogates, pinches, frustrates the right to constitutional remedy which has been given in article 32(1) of the Constitution Here let me bring it to your notice that article 32(1) of the Constitution ensures and guarantees the constitutional remedies It says

> "The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed."

Then the next clause says:

> "The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of *haoeas corpus, mandamus*, prohibition, *quo warranta* and *cetiorari*, whichever may be appropriate, for the enforcement

[Shri Mahanty]

of any of the rights conferred by this Part."

Then sub-clause (4) of this article says:

"The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution."

Now, what has been provided for in this Constitution? It has been provided for in the Constitution that whenever an emergency is declared by the President under article 352(1) of the Constitution, then the entire Chapter III of the Constitution shall be suspended Naturally, if there is an emergency, article 32(1) can be abrogated and then, and then only, clause 6 can stand the test of any appropriateness.

But we find that no emergency has been proclaimed We are fully aware that the Nagas have been a menace. We are happy that the hostile Nagas are brought to book. That the Naga problem should be settled as quickly as possible, there can be no two opinions in this House. But that is a completely different issue from what I have been trying to raise in this point of order.

It has to be conceded that there are enough materials to show that there is an emergency But the emergency provisions of the Constitution have been invoked without the President declaring an emergency. My point is very simple. Certain emergency provisions in Chapter XVIII of the Constitution have been invoked, have been incorporated in this legislation, in clause 6, without the President declaring an emergency. Had the President declared an emergency under article 352(1) then, of course, the whole of Chapter III of the Constitution could have been suspended. They could have invoked the emergency provision for the whole of Assam or any part thereof. But that has not been done. The President has not declared any emergency.

We are aware of the fact that the President has issued an Ordinance. But issuing an Ordinance is not a proclamation as contemplated under article 352 of the Constitution. Now, in view of the fact that no emergency has been proclaimed, how can clause 6 stand the test which has been laid down in the Constitution?

Mr. Speaker: Am I to understand that the hon. Member wants to say that under the Constitution everybody has got a right to complain against any person, whoever he might be, if he does something and, therefore, legal proceedings can be taken, and this is a restriction upon that right?

Shri Mahanty: In this clause it is stated:

"No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government."

This is in conflict with article 32. This restricts that constitutional safeguard. The rights conferred by this Part can be taken away only in an emergency.

Mr. Speaker: That is to say, insofar as the right conferred by this Part is guaranteed, as and when a particular case occurs, the Supreme Court will decide whether that case comes within these items or not. Those rights that have been guaranteed under this Chapter, for which proceedings can be taken in the Supreme Court, they ought not to be prevented. That is the object of the point of order. Now who is to decide whether a right is one which has been guaranteed under this article? The Supreme Court will decide it.

Shri Mahanty: My humble submission is this. I am not asking the Chair

to judge whether it is *ultra vires* or *intra vires*. My only limited and humble submission is that this Bill does not fulfil the mandatory obligations of article 352(1) of the Constitution, and so far as that aspect is concerned, it is certainly within your competence and within the competence of the House to take cognizance of that fact. How can we rush through that legislation with our eyes wide open when it has obviously this constitutional lacuna?

Mr. Speaker: I am putting my questions only for the purpose of clarification. I am not able to follow the argument. Do I understand him to say, when he referred to clause 6, that clause 6 takes away the right of the individual to move the Supreme Court in other proceedings? He refers in this regard to article 32. The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed, *i.e.*, the right to move the Supreme Court in so far as what is guaranteed is in relation to those rights guaranteed by that particular Part. Then, it is for the Supreme Court to decide whether this infringes those rights, otherwise the Supreme Court does not come into the question. Therefore as and when a particular case arises the Supreme Court will decide it. If that is not the point....

Shri Mahanty: "The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution". That is article 32(4).

Mr. Speaker: "The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution". It does not appear that there is any desire to suspend this article.

Shri Mahanty: There is no desire but the effect is there. Article 359 may also kindly be seen. Article 359 says:

> "Where a Proclamation of Emergency is in operation, the President may by order declare that the right to move any court for the enforcement of such of the rights conferred by Part III as may be mentioned in the order and all proceedings pending in any court for the enforcement of the rights so mentioned shall remain suspended....."

Now, clause 6 in fact.....

Mr. Speaker: All that I am concerned is that why should I decide whether a particular point comes within Part III and whether by this *Bill the jurisdiction of* the *Supreme* Court is taken away. Supreme Court's jurisdiction continues notwithstanding this Bill regarding matters for which no provision is made or which do not come under Part III. Whether a particular matter or right comes under Part III or not will be decided by the Supreme Court in each case. If it finds that it comes under Part III, it will declare that this does not affect so long as the Constitution has not been amended. Why should I take the responsibility in advance to say that a particular matter, when the matter is not before us, *i.e.*, the jurisdiction of Supreme Court is taken away. Jurisdiction of the Supreme Court cannot be taken away in so far as certain rights are guaranteed under the Constitution.

With respect to the other thing as to what exactly comes under Part III and what does not come under it is a matter for consideration when each matter occurs.

I wanted to know one other thing. Shri Mahanty had referred to article 352. Does he mean that this Bill cannot be passed?

Shri Mahanty: That is what I am submitting.

Mr. Speaker: It is the duty of the President from time to time to declare when there is internal disturbance that a particular portion is a disturbed

[Mr. Speaker]

area. Thereafter he can confer particular rights. Whether the delegation of that right, as it appears to the Union Government, is right under this Proclamation.....

Shri Mahanty: Sir, the whole trouble is . .

Mr. Speaker: If I have understood him correctly, he did not want to raise a point of order under article 352 But since he referred again and again to article 352(1), I want to know whether he means to say that the declaration of an emergency is the exclusive jurisdiction of the President and that this particular portion amounts to a declaration of an emergency when a notification is issued, which right is the exclusive right of the President and the Union and the State Governments cannot do so Is that his point?

Shri Mahanty: My humble submission is

Mr. Speaker: If that is not his point he need not elaborate on that

Shri Mahanty: My point is exactly what you have stated, probably in a more cogent manner What I am urging is that this cannot be brought into force unless an emergency has been declared under article 352(1)

Mr. Speaker: I understand his point

Shri Mahanty: Then, another thing is there You will kindly notice that it uses a word which is unknown to the Constitution In the Constitution only the words "external aggression or internal disturbance" have been used Now this legislation in clause 2, sub-clause (b) uses the words "disturbed area" and it defines "disturbed area" as an area which is disturbed

Mr. Speaker: That is the same thing as declaring a particular area by issuing a Proclamation.

Shri Tyagi (Dehra Dun): How can it be disturbed without disturbance?

Shri Mahanty: I have no quarrel with this legislation. What I say is that unless the President makes a declaration under article 352(1), we cannot proceed with this legislation as there is no justification to proceed with it

Dr. Krishnaswami (Chingleput): Sir, I submit that this Bill is out of order The Bill contravenes the provisions of the Constitution since it does not satisfy certain Constitutional requirements It seeks to confer powers on the Armed Forces, and to take complete control of areas in the State of Assam when such areas have been declared to be a disturbed area This virtually transfers the executive power in respect of such areas to the Centre This is not tantamount to calling of the military in aid of the civil power to quell a local disturbance where the State authority retains the power to regulate the movement of the forces

As you will realise, under List III—Concurrent List—the power is given to the States at times to requisition armed forces for quelling local disturbance What the Bill contemplates is to make over the area, under clause 4, completely to the Armed Forces thereby divesting the State of all powers in respect of that area This is a state of affairs that can be brought about only by a Proclamation of emergency promulgated under article 352 of the Constitution The Bill seeks to circumvent these provisions and attempts to usurp the powers of the State not warranted by the Constitution

Mr. Speaker: This proclamation is issued under clause 3 by the Government of Assam or the Chief Commissioner of Manipur

Dr Krishnaswami: The proclamation of declaring a disturbed area is different. But in clause 4 the power

is given practically to the Armed Forces and the civil authority is divested of all control

Mr. Speaker: Therefore they need not declare it a disturbed area

Dr. Krishnaswami: Who?

Mr. Speaker: The Government of Assam

Dr. Krishnaswami: The Government of Assam is entitled under the Constitution to declare any area to be a disturbed area and to requisition military

Mr. Speaker: Not under the Constitution

Dr. Krishnaswami: and to requisition military forces for certain purposes from the Centre Under the Concurrent List, Item 1, it is stated that the use of naval, military or any other armed forces of the Union shall be excluded and it shall be used only in aid of the civil power It is only in aid of the civil power that these military forces can be given to quell local disturbances and therefore which is a disturbed area But what I am suggesting is that if clause 4 of the Bill had been drafted on the lines of the relevant section in the Code of Criminal Procedure, this objection would have been amply met But the Bill goes further than the requisition of military power to aid the civil power for, as it is, clause 4 is virtually a replica of the corresponding provisions in the Defence of India Rules made under the Defence of India Act after a proclamation of emergency was issued under the Government of India Act, 1935

Mr. Speaker: My difficulty is that the hon Member refers to the Armed Forces going to the help of the civil power Now, it is true that the armed forces can be requisitioned to aid the civil power even under the existing law But the existing law is sought to be amplified by clothing the local Government with greater power to entrust the entire administration to the Armed Forces. They are not taking away the power from the State Government On the other hand, the State Government, under the existing law, can only bring the Armed Forces in aid of the civil power. They can entrust, if they so like—we will assume—in a particular case they do not want to entrust it to the Police or to the local authorities but they want to hand over thoroughly, entirely and completely to the Armed Forces. Today the State Government has no such jurisdiction Therefore, far from taking away any jurisdiction vested in the State Government today this clothes the State Government with additional power to entirely place it in the hands of the Armed Forces or requisition the Armed Forces under the ordinary law in aid of the civil power Therefore, so far as the State Government is concerned, no jurisdiction of the State Government is taken away Additional jurisdiction is sought to be given How does it affect the rights of the State Government? They can invoke and they can declare a particular area as disturbed or they need not If they do not want the civil authorities to be superseded, they need not declare It is not the Union Government that declares, it is the State Government that declares

Dr Krishnaswami: That sort of power cannot be conferred

Mr. Speaker: That is another matter

Dr Krishnaswami: unless it is done under a Proclamation under article 353(b) of the Constitution

Mr. Speaker: Therefore, it amounts to this Jurisdiction ought not to be conferred on the State Government to declare a state of emergency in any disturbed area and it is only the President that can do so Again, it resolves to Shri Mahanty's objection

Dr. Krishnaswami: It is slightly different Under article 353(b) whatever power is entrusted to the army, it can only be responsible to the Centre. That is the main issue that

[Dr. Krishnaswami]

I wish to bring before you. The power of the State Government to declare it to be a disturbed area is not called into question. What is called into question is whether we can have ordinarily the same powers which would be exercised by the army in a state of emergency.

I also wish to point out that this raises an important issue as to whether the Chair could take cognisance of a point of order relating to any unconsututionality. On this matter, there have been several rulings and I should like to place them also for your kind consideration. The view that questions of competence and questions of *ultra vires* should be left to the courts of law and should not be settled by the Chair was first propounded by the President of the Legislative Assembly on a point of order raised in the Multi-Unit Co-operative Societies Bill in 1942 But, there was a subsequent occasion when this ruling has been qualified. In 1951, the Speaker of the Provisional Parliament, Shri Mavalankar, on a point of order raised by Shri Naziruddin Ahmad, on clause 11 of the Code of Criminal Procedure (Amendment) Bill, suggested it was *ultra vires* and observed that the Chair is generally not willing to disallow any measure or any clause being considered on its own merits and the House to its own decision on such matters, except in cases where the matter is so obviously *ultra vires* that the Chair will intervene I suggest, here, the unconstitutionality is so patent that we are justified in requesting the Chair to rule that the measure is *ultra vires.*

Shri Naushir Bharucha (East Khandesh): Sir, I am afraid the points of order raised by both of my learned friends cannot be upheld. The first point is that by putting down a clause in clause 6 that no prosecution, suit or other legal proceeding shall be instituted . . etc, the power of the Supreme Court under article 32 is detracted from. That is not so. It has already been held that these words "or other legal proceedings" are what is known as *ejusdem generis* and they, have to be construed narrowly, that is, whether the legal proceedings are of the same kind as prosecution.

The second point is, even assuming that the wider legal interpretation is given, so long as the constitutional right under article 32 stands, that right cannot be taken away or abridged. In the first place, therefore, I submit that clause 6 is not so wide in its interpretation as to encroach upon article 32.

The next point that has been advanced is that under article 352 an emergency has to be proclaimed before anything can be done. That also is not correct. It is up to the President and if he feels satisfied that there is so much of disturbance on such a scale, it may be, even the provisions of the Constitution may have to be suspended, then only he may issue a proclamation. For instance, in case of war he may issue a proclamation. He is not bound to issue a proclamation Therefore, for the purposes of this Bill, he is not bound to issue a proclamation If he is not bound to issue a proclamation, it cannot be said that it is a condition precedent to this Bill being brought before the House.

The next point which my hon friend Dr Krishnaswami has brought is that the administration of the particular area which is described as disturbed area is bound to be handed over to the military Nothing of the kind. Because, the executive power in all other respects will function normally except that where there is a disturbance, instead of a magistrate issuing the order for firing, it is now proposed that particular officers of particular ranks shall do that. I do not for a moment defend the Bill on its merits. On that I have got a lot to say. Now I am looking at it from the strict legal point of view. For instance, assuming for a moment a disturbed area is notified, the executive administration in the disturbed area will

continue If any land revenue is to be collected or anything has to be done in that area, that would be normally done In no respect whatsoever the executive authority is taken away In fact, as you observed, some additional facility or convenience or powers have been placed at the disposal of the particular Government From all these points of view, while I say that I have a lot to say against the Bill on merits, from the legal aspect, there is no flaw

Pandit G. B. Pant: I wonder if the arguments advanced by the hon Members really call for any elaborate reply We have to see what the Bill really provides for and what is its scope and what encroachment, if any, it makes on the Constitution or on the executive authority of the State The Bill only says that in any area, which has been declared as disturbed by the local Government, the army may take steps in order to prevent the commission of offences or in order to arrest the offenders No power is transferred from the executive authority The magistrates are there The police is there All other activities which are usually in the hands of the civil administration will, even hereafter be in their hands If you will kindly refer to clause 5, it says,

> "Any person arrested and taken into custody under this Act shall be made over to the officer in charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest."

So that, the police has to deal with the matter, the magistrate has to deal with the matter and there is hardly anything which calls for any sort of interference with the executive power of the State Before the army can act in this manner, it has to be empowered in a way by the State Government itself, because unless it has declared that area as disturbed, no one can proceed under clause 4

As to the reference to the articles, I think they are altogether irrelevant. Reference has been made to article 352 where a proclamation of the nature contemplated in article 352 has to be made in order that action may be taken to deprive the State Government of its constitutional powers That is the only purpose The article says:

> "While a Proclamation of Emergency is in operation, then—
>
> (a) notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised,
>
> (b) the power of Parliament to make laws with respect to any matter shall include power to make laws conferring powers and imposing duties, " and so on.

It is plain enough that if such a Proclamation is issued, then, the constitutional authority, the legislative authority and executive authority may altogether or partially be transferred from the State authorities to the Central authority It is only then that a Proclamation of this nature will be necessary In no other case can a Proclamation be necessary I do not see how such a condition precedent can be invoked by any one in this case There is no provision like that Under the Constitution, the Supreme Court has supreme authority regardless of anything that may be done With regard to *habeas corpus*, with regard to other matters, article 226 and other articles come in Nobody can deprive the Supreme Court of this authority All that is said here is that the local Government may make use of the army, if it so chooses in the manner provided in this Bill, and can use the army only for this limited purpose, and thereafter the ordinary processes of law are to be followed.

14 hrs.

[Pandit G. B Pant]

So, I submit that there is absolutely no point of law involved. There are already provisions in the Criminal Procedure Code to the effect that in many cases including cases of this nature, no proceedings can be initiated in courts without the sanction of the Government. So, there is nothing unusual in this Bill, and I do not think the points of order have any validity whatsoever.

Mr. Speaker: There are two or three points that have been raised.

Does the hon. Minister mean that this is only in addition to the provisions of the Criminal Procedure Code? Normally, under the Criminal Procedure Code, whenever a magistrate wants the assistance of the armed forces to disperse an assembly, he can send a requisition and the armed forces can come, but they cannot shoot; they can use force only to some extent, and that for the purpose of dispersing the assembly. Here, in a disturbed area if any person, whether an assembly or otherwise, breaks the law or is attempting to break the law, the army can shoot, that is what is said

In clause 4(a) it is said

> "if he is of opinion that it is necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances;".

It is not merely dispersal of the assembly. A person who does in a disturbed area many other things which are said to be bad can be shot at. Is this supposed to be in addition to the powers of the armed forces who are sent in requisition? They can be taken not only for dispersing assemblies, but for these purposes also, if it is declared a disturbed area.

Pandit G. B. Pant: Under this clause, the armed forces can act in the areas which have been declared as disturbed by the Government of that particular area They have been given powers to act in this manner, but they have to arrest these people wherever they can arrest them, and there are provisions in the Constitution as well as in the Code of Criminal Procedure under which minimum force has to be used. That governs every clause in every Bill that we may introduce here. So, these persons have the authority to act only within the limits that have been prescribed generally in the Criminal Procedure Code or in the Constitution

Mr. Speaker: Article 21 says that no person shall be deprived of his life or personal liberty except according to procedure established by law. Does the hon. Minister feel that this is the procedure, he can shoot if it is a disturbed area, that is the procedure prescribed by law He can shoot Anybody can be killed or shot at, but is this the procedure prescribed by law, does it go to that extent? Article 21 says that no person can be deprived of his life. Here any person can be deprived of his life by any commissioned officer, he can shoot.

Pandit G. B. Pant: No, no. In accordance with law, that is the law passed by this House.

Mr. Speaker: In accordance with the procedure established by law. That is, is it open to this House to say when once it is declared a disturbed area, he can shoot and that is in accordance with the procedure established by law?

Pandit G. B. Pant: But that does not raise any point of order. I submit that if the House does not approve of

this and says it does not want to give this power, the House can throw out this Bill

Mr. Speaker: What was pointed out was that this is a right guaranteed under the Constitution Except in accordance with the procedure established by law, nobody's life can be taken away, and when any such thing is done, the right to move the Supreme Court is guaranteed under article 32 Clause 6 of the Bill says other legal proceedings cannot be instituted except with the permission of the Central Government That is, the Supreme Court's right to intervene in this matter so far as rights guaranteed under the Constitution are concerned is affected, or sought to be restricted by the previous sanction of the Central Government

Pandit G. B. Pant: No So far as the right of the Supreme Court is concerned, it is not controlled by clause 6 because the Supreme Court has, under article 226, plenary power in all cases It is not bound by anything that this clause or any other clause may prescribe, but such a provision exists in the Criminal Procedure Code too that no court will take notice of any such case unless the Government has given its sanction Section 132 is there, it is exactly in the same terms

Mr. Speaker: Does it mean then that for moving the Supreme Court for appropriate proceedings, the Central Government's sanction is necessary?

Pandit G. B. Pant: No

The Deputy Minister of Law (Shri Hajarnavis): May I say a word? It has been held by the Supreme Court that a clause of this nature is not sufficient to deprive either the Supreme Court or the High Court

Shri Tyagi: Which other courts can be deprived?

Shri Hajarnavis: Civil courts only Shri Bharucha was right in his interpretation, and it is supported by the authority of the Supreme Court itself, that this applies only to civil courts, where there is a prosecution in a civil court.

Mr. Speaker: Therefore, what he means to say is that by the ruling of the Supreme Court, notwithstanding a provision of this kind in any law, the right guaranteed under the Constitution to any person who wants to move the Supreme Court is not taken away This does not stand in the way

The second point is this When an emergency is declared, Parliament can empower the local Government itself to exercise those powers Parliament can authorise any person, including the local Government or the Commissioner, as the case may be. The normal law is abrogated and extraordinary powers are vested An emergency can be declared only by the President and that power is sought to be given away to the State Government and to the Commissioner.

The other point is that the extraordinary power to abrogate the ordinary law is conferred on the President, and that after he declares that there is a state of emergency Now, this state of emergency is sought to be declared, or that power to declare a state of emergency so far as that particular area is concerned, is given to the State Government and the Commissioner Thereafter, these powers for the armed forces to shoot and do other things will come in What is the answer to that point?

Pandit G. B. Pant: To which point?

Mr. Speaker: The point is, the Constitution allows the President to declare any particular area as a disturbed area, or to declare an emergency though it does not use the expression "disturbed area" here The President can declare a state of emergency, for the whole of the country or a particular area of the country In which case it is on account of any disturbance in a particular area Thereafter, many

[Mr. Speaker]

consequences follow. That right is now sought to be given away to the State Government, that is, the right to declare certain areas as disturbed. . .

Shri Tyagi: Without using the word "emergency".

Pandit G. B. Pant: Under article 258, the Central Government may delegate any of its powers to any State Government. The article reads:

> "Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends.".

Mr. Speaker: But there must be a proclamation of emergency in operation.

Pandit G. B. Pant: There is nothing of proclamation in this article.

Mr. Speaker: This article reads:

> "Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or its officers functions in relation to any matter to which the executive power of the Union extends.".

But, is this a matter of declaration of a proclamation of emergency?

Pandit G. B. Pant: Where is the declaration of proclamation here? We call an area a disturbed area. There is no proclamation here. By proclamation, you confer certain powers on Parliament, that is, a proclamation has to issue under the Constitution when certain powers which the State Government enjoys under the Constitution are taken away from the State Government and are conferred on Parliament; that is the only purpose for which a proclamation under that chapter is necessary. It does not require a proclamation for any another purpose. There are a hundred and one things which have to be done, and we have not to issue a proclamation for everything that we do; from day to day, there are many administrative matters which are done by the Centre and which are sometimes delegated by the Centre to the States. The proclamation is necessary, as you will kindly be pleased to see, only when certain powers are taken away from the State, that is, constitutional powers which have been conferred on the State by the Constitution itself.

I hope you are referring to Part XVIII which deals with emergency provisions. There, it is only for giving effect to what is provided in this; that is, the purpose is to deprive the State Government of certain authorities, or to transfer the authority that the State Government possesses, to the Central Government, or that the State Assembly possesses to the Central Government or to Parliament. Nothing like that is being done here. So, how does this chapter come in the way at all? If we had done anything like that, then you could have said that and referred us to article 353 which says:

> "While a Proclamation of Emergency is in operation, then—
>
> (a) notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;
>
> (b) the power of Parliament to make laws with respect to any matter shall include power to make laws conferring powers and imposing duties, or authorising the conferring of powers and the imposition of duties, upon the Union or officers and authorities

> of the Union as respects that matter, notwithstanding that it is one which is not enumerated in the Union List.",

that is, you could have said, that the powers are in a way taken over by the Centre, that is, the powers that are possessed by the State; it is only then that we may issue a proclamation and there may be President's rule. Or, we may take away some of the powers and not all, and then a proclamation is necessary. But we are not in any way encroaching upon their field. There is nothing that we want to do; we are really trying to help them, leaving them free to make use of the Armed Forces. 'Armed Forces' are mentioned in the Central List.

Shri Tyagi: In List I or the Concurrent List?

Pandit G. B. Pant: Of course, they are mentioned in List I, obviously.

We are giving them some opportunities to quell the disturbances in the disturbed areas where they think that this method is necessary and inevitable—to make use of these Forces. I do not see how the need for any proclamation does arise.

Again, the provision that has been made has been made only to deal with a challenge to the authority and only when the State Government is satisfied that exceptional circumstances call for exceptional treatment; in those circumstances alone, it can be applicable.

Then, the authority of the Supreme Court etc. is not in any way disturbed by this, because it cannot be disturbed, and the authority or the power has been given by the Constitution itself, and anything that we may say here does not in any way deprive the Supreme Court of the inherent powers that it possesses and all the powers that are conferred upon the Supreme Court.

So, I do not see how there could be any objection to this Bill. In fact, the clause that we have here is more or less exactly the clause that we have in the Criminal Procedure Code.

Shri Tyagi: May I just seek a clarification? May I take it that what the Home Minister means is that he is conferring on his officers, his military and other officers, not the powers which are vested in the Central Government, but those of the State Government, so that the officers can act as their agents? Under article 258, this is the meaning. And the Home Minister has referred to article 258 which reads:

> "Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends.",

which to my mind means that we can confer only such powers as are vested in the Central Government. Is that the meaning? For, as I understand it, the phrase here is:

> "to its officers functions in relation to any matter to which the executive power of the Union extends.".

So, is it the intention of the Home Minister that we are authorising the State Government to exercise such powers as they cannot normally exercise—because it is not in the State List—that is, such powers as are vested in the Central Government?

Pandit G. B. Pant: I do not see what the difficulty is. My meaning is that under the law, the Armed Forces are under the Central Government. The Central Government can use them in any way it likes. Under the law, the civil authority even in States can seek the assistance of the Armed Forces whenever they are faced with disturbed conditions. We are thus authorising them to use these Forces without any reference to us, under this clause.

[Pandit G. B. Pant]

There is nothing that is unusual about it. Either the power is vested in the one or in the other. Either the State Government possesses it, in which case it may not be adding to its powers, or we possess it and we are delegating it. It must be the one or the other. So, there is nothing that this clause pretends to do which is not within the scope of the one or the other.

Shri Mahanty: May I make one submission before you give your ruling? Now that article 258 has been mentioned, and we are enlarging the jurisdiction of the State under article 258 of the Constitution, may I know from the Home Minister whether the consent of the Government of the State of Assam has been obtained, and if so, whether he will kindly lay a copy of the letter of the Government of Assam on the Table of the House?

Pandit G. B. Pant: If I say it has been done with the consent of the Assam Government....

Shri Mahanty: With all humility, may I seek your protection? What I am saying is this. Article 258 reads:

> "Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State..

Pandit G. B. Pant: . ..then my words should be sufficient for the purpose. It has been done with the consent of the Assam Government

Shri Mahanty: We want to know it

Pandit G. B. Pant: If the Assam Government does not want to make use of this Bill, it is open to it not to do so, because unless the Assam Government declares an area as a disturbed area, it cannot automatically be applicable to any particular inch or unit.

Shri Tyagi *rose—*

Mr. Speaker: I have heard enough about the point of order. Other clarifications may be sought elsewhere. Now, two points have been raised in the points of order moved by Shri Mahanty and Dr. Krishnaswamy objecting to further proceedings on this Bill One is that under article 352(1) of the Constitution, unless a state of emergency has been proclaimed by the President, this Bill cannot be proceeded with, that the powers conferred upon the Government of Assam or the Chief Commissioner of Manipur under clause 3 of the Bill, to declare any particular area as a disturbed area, virtually amounts to a proclamation of emergency in respect of which power is vested in the President, and only thereafter the other things may follow. It has been stated by the hon Home Minister that the proclamation regarding a state of emergency applies only to cases where the Centre declares a state of emergency and takes over the powers of the State. Only in cases where in the interest of administration, on account of some emergency having arisen, the Centre itself wants to take charge or give directions in regard to matters which otherwise. under the Constitution, are within the exclusive jurisdiction of the State. and then they issue a proclamation of emergency. In this particular case, the Bill does not seek to take away any of the powers or the jurisdiction of the State Government. Therefore, Chapter XVIII does not apply to this case

So far as the other point is concerned, namely that clause 6 of this Bill seeks to take away the jurisdiction which the Supreme Court has under article 32 of the Constitution, it is stated that it has been decided by the Supreme Court that notwithstanding similar provisions in any of the Acts passed, the powers of the Supreme Court are not taken away. In many Acts, particularly the Criminal Procedure Code. and the Civil Procedure Code there are provisions which state that if any suit is to be field or proceeding sought to be taken against any

officer of Government, the previous sanction of Government is necessary Prosecution of such persons in the discharge of their lawful duty has to be with the sanction of Government This under particular circumstances, is not interference with the powers of the Supreme Court, in relation to fundamental rights guaranteed under the Constitution This article has never been declared to stand in the way of similar provisions like clause 6 of this Bill being incorporated in other Acts

No doubt, it has been pointed out by Dr Krishnaswamy that in a previous case which was brought up before the House, my predecessor said that wherever it was patent on the face of it, that this House had no jurisdiction to pass any piece of legislation, it was open to the Speaker to say that it was *ultra vires* of this House But generally the Speaker does not take the responsibility of deciding the question of *vires* and it is in accordance with past precedents

Personally I do not see that article 352(1) applies here That relates to provisions interfering with the jurisdiction of the State Government under the Constitution So far as clause 6 is concerned, similar provisions exist both in the Civil Procedure Code and the Criminal Procedure Code, notwithstanding this provision, the Supreme Court is not debarred from exercising those rights So I do not see any force in the points urged in either point of order, nor is the Bill such an obvious case for me to declare it *ultra vires* of this House Under these circumstances, the Bill will proceed

Shrimati Mafida Ahmed (Jorhat) May I know from the hon Home Minister whether the Assam Government were consulted before taking decision to introduce this Bill?

Mr. Speaker. The same question was asked by Shri Mahanty and answered

Pandit G. B. Pant: In fact, the Assam Government made a request to us

Mr. Speaker: It is not merely consent

Hon Members will kindly remember that 2 hours have been allotted for this Bill

Shri Tyagi: Not for point of order

Mr. Speaker. Point of order is always included in the time taken It does not arise out of context

Shri Naushir Bharucha: May I suggest that the time may be extended till 4 p m ?

Mr Speaker: Let us see

Shri Mahanty While we yield to none in our anxiety to see that this Naga trouble is quelled at the earliest, we are constrained to observe that this Parliament is giving its seal of approval to a legal monstrosity to quell another kind of monstrosity

This is a unique legislation, the kind of which has never been contemplated since this Indian Parliament came into existence (*An Hon Member* Regulation) Regulation is not legislation, it is an administrative and executive fiat What I am trying to submit is that this is a martial law This is martial law as defined in article 34 of the Constitution It is being sought to be introduced in this House as a most innocuous measure If anybody analyses this Bill, one will find that it seeks to indemnify any person for any act done for quelling disturbance in an area declared so by either the Governor of Assam or the Chief Commissioner of Manipur within their respective jurisdiction We would have expected a little more honesty about the business There is nothing wrong in declaring a certain portion of Assam or a part of the territory of Manipur as a disturbed area The President could have issued

[Shri Mahanty]

the proclamation and the rest would have followed A havildar can sheet a person without order from a Magistrate He can attach any property He can destroy any building He can put any person behind the bars or in a concentration camp For all this, no action can lie against him except with the permission of the Government of India This is one aspect

The other aspect is this It is high time that the Government took us into confidence and let us know what is the real nature of the Naga trouble I have with me a statement circulated by the Minister of Home Affairs narrating the circumstances which necessitated the promulgation of the Ordinance It states that on account of military pressure, the Naga trouble, though quelled in the Tuensang area—of which mention has been made in this House often—is spreading now to the plains of Assam and Manipur

14·29 hrs.

[MR DEPUTY-SPEAKER *in the Chair*]

This is really a very disturbing situation If it is being confirmed in the statement that the Naga trouble is dying out in its own homeland, namely, the Tuensang area, but is spreading into the plains of Assam and Manipur, certainly it is high time that we considered it in terms of article 352(1) of the Constitution But without doing that, we are taking recourse to a most extraordinary measure We are empowering the havildars and non-commissioned officers—to shoot any person they like and choose, to attach any property, to destroy any building and so on and so forth, and also arrest persons without warrant This could have been possible and unexceptional had there been an emergency, but the Government hesitate to declare an emergency obviously because of the fact that there is no emergency

In this context, we would also like to know how long this Government—this mighty Government of India—with its military budget shooting up every year in a mercurial way is going to take to meet this trouble It is also within our competence to know and ascertain whether we are going to solve this problem by this kind of measure It pains me that we have an occasion in this House to give our assent to a martial law which was forced on us by an Ordinance What stopped the Government of India from bringing in this legislation when the prolonged Budget Session was on? The hon Member owes a reply to the House and to the country

The Naga menace is not a matter of yesterday This has been there, we know, and we have been debating this menace for years together Even when the External Affairs Ministry was under discussion this year, the Naga trouble came up for a prolonged discussion in this House Government is well aware of this What prevented them from bringing in this legislation during the prolonged Budget Session? Why have they smuggled this legislation in this way? It is really a challenge to the concept of democracy and freedom that we have

Let me also take this House into confidence and say that we want a free India But, we do not want a free India with barbed wires and concentration camps, where the Havildars can shoot at sight any man If that is the concept of free India, I think I may as well be a traitor

While there is no justifying condition for it, the Governor thinks that there is an emergency and disturbance exists and he just issues a notification in the gazette and the rest of this extraordinary legislation takes its course That does not mean that I yield to anybody in my anxiety to see that peace is restored and the hostile Nagas are brought to book But, I ask in all humility, are we

going to solve this problem by this extraordinary legislation.

While concluding, I once again appeal to Government through you. It is high time that this House is taken into confidence and we are told what is the extent and what is the nature of this disturbance. This trouble is spreading. It is really a very alarming picture. We knew the Naga trouble was confined to the Tuensang areas; but now we are told that it is spreading to the plains of Assam and Manipur. Therefore, it is not a simple measure or an innocuous measure that has been brought in by the hon. Home Minister for whose views we have the greatest esteem. We do consider it an exceptional measure and it should not have been brought into this House in this manner in the shape of an Ordinance. While the Government was well aware of the fact, what stopped the Government of India from bringing in this legislation in the legitimate manner without having recourse to the Ordinance?

Shri Naushir Bharucha: While I do not see eye to eye with my hon. friend Shri Mahanty on the point of order, I fully share the views he has expressed on the merits of this measure. It will be appreciated by this House that this Ordinance was promulgated on 22nd May 1958; that is to say, within 12 or 13 days after the Budget Session. I should like to ask Government what was it within these 12 or 13 days that had cropped up justifying that particular Ordinance. If the trouble was there, truly it must have been there even in the month of April or in the beginning of May. Why is it that Government did not bring this particular Bill at the fag end of the Budget Session? The Government has not merely to explain there was arson, looting and murder but it has also to explain that it occurred only after the session and within 12 days before the Ordinance was promulgated. If the arson, looting and murder was there and the Government was aware of it in April, I ask why this measure was not brought in April. That is my first question.

My submission is that the resort to Ordinance was with the object of avoiding for the time being the excitement and the criticism of the extraordinary powers that the Government now seek to invest the Governor with.

So far as the scheme of the Bill is concerned, it will be seen that the Armed Forces are defined.

> '"armed forces" means the military forces and the air forces operating as land forces, and includes any other armed forces of the Union so operating;'

That probably means that the Government very mercifully has not permitted the air forces to shoot or strafe the area....

Shri Tyagi: Or to bomb.

Shri Naushir Bharucha: ....or to bomb. But what is the difference when the parachute troops are dropped? One does not know if it is air force or land force. They can have a spray of bullets on the people below.

The Bill gives power to the Government of Assam and the Chief Commissioner of Manipur to declare not only particular portions of Assam as disturbed but the whole of Assam can be declared as disturbed. I am going to ask this Government 12 or 13 questions and this Government has to answer them before it can justify its action before the public.

The first question that I should like to ask is that already the armed Forces (Special Powers) Regulation was promulgated in so far as Kohima and Mokokchung areas of the Naga Hills district and Tuensan area was concerned. In these two districts, which we know are a bit boisterous, in precisely the same

[Shri Naushir Bharucha]

language wide powers have been vested by a Regulation We thought that that was more than enough to contain the trouble in the newly constituted administrative unit

Let it be appreciated that out of the six frontier divisions in the NEFA area, the Kameng, Subansi, Siang Lohit and Tirap divisions—these 5 divisions—have been quiet But only in the sixth, the Tuensang area, there was disturbance We formed in administrative unit, the Centre incurring an annual expenditure of Rs 3 crores and more What for? They set up a unit What do we find The trouble instead of being contained in the Naga Hills, Tuensang area, has spread to the plains to such an extent that the Governor may declare the entire Assam as a disturbed area What type of an administration is this I ask.

Therefore, I have got to ask this question of Government Is there anything like a threat that the whole of Assam may be invaded by Naga Hostiles that you give powers to the Governor of Assam to declare the whole of Assam and power to the Chief Commissioner of Manipur to declare the whole of Manipur as disturbed area? Is the threat so great or is the threat confined only to contiguous areas of the Tuensang areas of the Naga Hills?

The second point is have the Nagas or persons in areas adjoining the Naga Hills now become so powerful in their forests that such vast powers are to be given to the Armed Forces? If you say, 'yes' then the entire policy there has failed, if you say, 'no', then there is no reason for bringing this Bill I want to know what is the answer

Thirdly, what exactly is the nature of the threat and from whom and in what areas of Assam? I should like to know It is not even sufficient to say that the newly constituted area is boisterous Not the whole of it, only a part of it, the Tuensang area It is only some portions of the Naga Hills that the disturbance is there If they say that the disturbance has percolated into the plains of Assam, has it percolated to such an extent as to include the whole of Assam that they want this power to be given to the Governor of Assam to declare the whole of Assam as a disturbed area?

Then, since the five divisions of NEFA area are quiet, does the threat to the whole of Assam and Manipur spring only from that small area?

All these questions have got to be answered Whom are we fearing that we are giving so much power? Which is that particular area or particular district? It should be noted that for Kohima and Mokokchung areas we have already provided this Therefore this trouble is within Assam itself Which particular area of Assam is boisterous?

If this is so has not our policy failed in this area notwithstanding the Central Government agreeing to bear Rs 3 crores of expenditure more per annum? I should like to ask this A pamphlet was issued 10 *years' progress in NEFA* Who writes the foreword to this? The Prime Minister What does he say?

> "In dealing with human beings anywhere, the wrong approach is the approach of a superior person"

This is not even the approach of a superior person, it is the approach of the slave-driver

> 'It is wrong even when it is well-intentioned and wants to do good"

Referring to the NEFA area, he says:

> "To me and to all of us, NEFA is a problem and a challenge The questions it raises are different from those that have to face in other parts of the country . .
>
> NEFA offers adventure certain-

ly, but the adventure should be of the human spirit....."

Not shooting down.

"2 and the human approach so that we win over the minds and hearts of the people"

Now, is this the way? In other words, the policy outlined by the Prime Minister in the NEFA area is completely negatived from start to finish by this Bill

The hon Minister has said that the Assam Governor concurred in this May I point out what was the message of the Assam Governor in connection with this? He says

"We should proceed in such a manner that the sincerity of our motives should never be called in question We could be sure that our motives will not be called in question if we learn to appreciate the points of view of the people in these area and if we try to understand their temperaments and respect their traditions, otherwise even with the best of intentions, we cannot hope to instil in them either the necessary confidence in our mission or a sense of identity with the rest of the country"

There is a complete departure from the policies which the Governor has laid down Therefore, my question to the hon Minister is this Does this Bill not depart radically from the policy and our approach to the Naga people as had been laid down by the Prime Minister and the Governor of Assam and if so, let the hon Minister admit it clearly

Then, why is this iron curtain between Naga Hill Tuensang area and the rest of India? We are taking of iron curtains by Soviet Russia. But to day, the Naga Hill Tuensang area people are separated. These are our people of Indian nationality Why is it that nothing is said to us about this?

Why was the Parliament always told that the situation was under control and that the hostilities were fizzling out? How, why and when did this situation necessitating the issue of an Ordinance arise? Day in and day out we are told that the situation is well in hand That reminds me of a story. A particular correspondent of a journal was wiring the headquarters that the situtation was well in hand and the view of the headquarters was that the situation was deteriorating and ultimately they asked the situation is well in hand, but in whose hands, our hands or enemy's hands. You have been telling us that it was well in hand I ask whose hand, yours or Phizo's? We do not know that Let us have a clear view of these things

I do not know whether it is correct or not but it has been said that the hostiles are in league with Pakistan Has the Goverment got any material? If so, boldly lay it on the Table of the House Let us have it If you feel that Pakistan conspiracy is there and therefore, greater powers are necessary, this House will not grudge it

I also want to know whether the policy of shoot to kill underlying this Bill will not have a psychological effect, first on the Nagas and secondly on the army personnel Shoot to kill instils in the people in whose hands power is placed a sense of carelessness and callousness There is a feeling: We are protected, we can shoot to kill I am not for a moment alleging that our defence forces are so callous as that But human nature being what it is, having regard to the fact that our Army may have to work in very difficult and trying circumstances wherever they are, troops may be overworked and they may resort to these because a psychological impression is created in the minds of the troops we can shoot to kill, nobody can question us I ask what type of policy is this to win the hearts of the people whom you are trying to incorporate and integrate as part of India. Shoot to kill Whom are our armed

[Shri Naushir Bharucha]

forces being given powers to shoot to kill? Indian nationals. Let that be understood. There is no emotional integration so far. Let the House not lose sight of the fact that the power which is sought for the army is for shooting down Indian nationals and therefore, a very great justification must be offered by the Government before it can come to this House and demand these extra-ordinary powers

What is more, there is no time-limit for this Bill; it is not temporary for a year or six months. What does that indicate? Government has lost all hopes of bringing the situation under control by peaceful and reconciliatory means. It is going to be the type of affair which was in vogue during the British regime in connection with the NWFP. They want to rule by bullets and that too permanently. They have not put down any time-limit

With regard to this particularly mischievous clause, 4(a), I should like to know how it is going to be put into practice This Bill authorises the military to shoot if there were five or more people assembled. Suppose some Magistrate has issued an order in a district that five or more people must not assemble In a region where communications are extra-ordinarily difficult and where the aeroplane is frequently used and where the para-troopers sometimes jump to a particular locality which is otherwise inaccessible and where food supplies are air-dropped, it would be sheer, ordinary human curiosity for the human beings It is conceivable that the man in the plane or paratroops might consider that this is violation of an order and immediately they can be shot. Perhaps a warning has to be given But in which language? In the NEFA area, there are thirty different languages and as many different dialects, none of which our armed forces know Unless they get interpreters to go with them, how is this preliminary order to disperse to be given People may not even understand and the result may be that they may be shot for not understanding or for congregating out of just ordinary human curiosity.

These are the implications that are in the Bill. I am not at all happy that we should give this authority. When the time comes, I shall move my amendment that the armed forces need not be used. Unless the Government makes it a very strong case, I for one am not prepared to authorise our armed forces and so brutalise them that they should be able to shoot at Indian nationals to kill.

Shri Warior (Trichur): Sir, the situation as envisaged in the statement is very clear. They say that the regulation promulgated by the Governor of Assam sometime back expired on 22-12-1957. The present Ordinance comes later. In the meantime we have had 3½ months During the Budget discussion, when this question came up here, it was said that things were getting better and that the Nagas were coming round In the statement of the Ordinance, it reads: " though it has improved to some extent " When it is improving, more stringent measures are brought in. The whole of Assam and Manipur is going to come under Martial Law though the Martial Law and an emergency are not declared. The provisions of this Bill stipulate such a condition

Further, Sir, there are many reports in the Calcutta Press recently to show that the situation is getting worse and worse day by day They point out that it had been our own internal problem previously, but that the problem is now becoming more and more an external problem

Shri Bharucha in his speech referred or hinted about the affairs of the Pakistan link with the Naga problem Recent reports also go to show—they may be very much exaggerated in the Calcutta Press, but still there is something hidden in them—that the hostile Nagas or the

misguided Nagas, as they are called by our Government, are now guided towards the Pakistan camp and they are now even 'crossing over to Pakistan. There was a report that dead Phizo had crossed over to Pakistan. Phizo had been dying so many times Sometime back also it was reported that he was dead, but the more recent report is that he or his lieutenants have crossed over to Pakistan

It is not only a question of Pakistan having some collusion with these people More things have developed in recent months since the international affairs worsened in the Middle East We understand that the border of Pakistan is closed in the east, and the people there are put to much harassment Not only the prices of things have shot up in the markets of Manipur and other places, things necessary for the ordinary life of the people are not even available Apart from that, we understand that even civil aviation routes, internationally recognised, are not at present allowed near the borders on the Afghanistan side of Pakistan, and our international flights are now diverted from the Pakistan Air into some other airways This shows that things are very bad Border incidents are not an exceptional affairs now in India alone Burma has also got this very same complaint about certain friendly countries interfering and taking theirs things into the border and creating trouble in the border

As I said, Sir, this Naga affair has at present become a larger affair, from an internal problem it has become something like an international problem, and the situation is getting worse every day That is a very serious thing If it was only in our own area, by taking some punitive measures we could have expected that the situation will become more and more under control, and we could have also pacified them

But now when we speak about the Naga problem and the trouble there the main question is the one which Shri Bharucha posed What is the approach of the Government? If it is approaching the problem just like the Britishers, when they approached the North-West Frontier Problem in their time, then, assuredly, not only this measure but more stringent measures, more drastic measures, more military measures should be employed, and we will be compelled to employ that in the NEFA area If otherwise, the Government even now comes to its senses and the problem is approached from a political angle from a human angle, there is every possibility of a solution being reached After all is said and done, the Nagas are our own people. The Prime Minister had mentioned that particular aspect of the question often times in this Parliament But our approach to the Naga problem is an exact repetition of what the British had been doing here We know, Sir, how they divided our people at that time, how some people were made against some other people, how some people were caught hold of and bribed by the Britishers to be used against our national movement to suppress our movement, to suppress our legitimate claims An exact repetition of those things, Sir very painfully is repeated now is now seen in the Naga Hills

Sometime back there was a conference Much fanfare was made about that conference of the 'loyal Nagas', as they are called Whether they are loyal or they are disloyal is to be seen, otherwise, it is not a question of loyalty and disloyalty alone it is a question of who can deliver the goods They were not able to deliver the goods We banked too much upon them We had full confidence that the entire area will be pacified What happened? The Government is now forced to come to this House with a *fait accompli* of an Ordinance We cannot now retrace our steps They passed an Ordinance empowering the State of Assam, the Government of Assam, the Commissioner of Manipur to declare any area as a disturbed area, requisition the military—not only the Land Force but the Air Force

[Shri Warior]

also—and then shoot down and kill the people 'Shoot to death" means killing—after killing comes death

Therefore, Sir, the situation is not as stated in this statement This statement is a very simple thing This says that the situation is improving Still, because of our measures being very successful, these hostile Nagas left their camp in the hills and went to the plains It is in the hills, that is what we believe, that the rebels will find it easier to carry on their operations It is in the hills that they can more easily find shelters, where they can avoid the repressive measures of Government But we find that they have gone to the plains now

In this connection I wish to make mention of one fact There were reports in the Calcutta Press—other papers are not so much interested in that, it is a problem affecting more the people of Assam and Bengal—about this invasion of the plains by the Naga people I do not give much credence to all those reports, but when so many reports come if we really filter them there must be some truth, at least a mimmum quantity of truth must be there, that there is so much of trouble in the plains Those reports show that small groups of Nagas in the Cachar District and other areas—I have a list of them—have come there to get food Apart from that, the reports say, there was actually no firing, no looting or any other thing It is said they were harassed in their former shelters, they had to get food and they were roaming about in search of food. If the Government of Assam is making too much of these reports, then the situation is not actually as big as we find it

But that is not the mam thing The main thing is not the fact that they have come to Manipur and other places. The actual thing is that we could not satisfy their political demands—they might have been making excessive demands, they might have been asking for more, but that is always there in any bargaining, and even if they ask for more when they get a bit of their demands fulfilled they might feel satisfied But as soon as they find that this Government is not going to meet them at least half way, they become desperate and they get embroiled in all sorts of collusions with other neighbouring countries, neighbouring States, whichever is ready to take them in Then we find ourselves in a very difficult situation

Therefore, Sir, my suggestion is that the problem must be approached more politically than military Of course, if the situation is this, there is no doubt that the military affair is also very important But the statement of this Ordinance clearly says that the situation is improving, whereas the Bill contains provisions just contrary to that statement The Act is very drastic, very stringent The explanation in the Ordinance says that the situation is improving, that there are slight things to be mended and the Ordinance is only for that purpose I think the Government must consider this situation as a whole in the new international experience, in the new international situation Apart from that our approach must be radically remedied and for that, as far as this question is concerned, I again, along with Shri Bharucha and other hon Members, suggest that the Parliament must be taken into confidence The fact that there are hidden things is patently clear Those things must come out We must have a frank discussion and a new political and human approach must be clearly thought of, chalked out, and that must be adopted Then only this problem could be solved. Otherwise, this problem cannot be solved As it is, I do not either oppose or support the Bill I only want to amend it so that more lenient measures will be adopted by our Government

15 hrs.

Mr. Deputy-Speaker: Shri Achaw Singh. The Members ought to be very

brief now. We are already trespassing on other business.

Shri Basumatari (Golpara—Reserved—Sch. Tribes): This is mainly concerned with Assam

Shri Goray (Poona): We may extend the time

Mr. Deputy-Speaker: We can extend, if necessary, by half an hour There are amendments to clauses also How much time will the hon Member require for them?

Shri Goray: When the basic thing is argued, they may not need much time

Mr. Deputy-Speaker: Then, we may give 15 minutes for the amendments

Shri Naushir Bharucha: 20 minutes

Mr. Deputy-Speaker. Most of the things have been said Therefore, the hon Members must be brief I shall try to accommodate as many Members as possible Shri Achaw Singh

Shri L. Achaw Singh (Inner Manipur): I rise to oppose this Bill I do not find any occasion or any reason why there should be such a measure to be adopted by the Central Government It seems the Central Government wants to enact into law the ordinance which it has promulgated on the 22nd May last This Bill is meant to be enacted in respect of the infiltration of Naga hostiles mostly in the North Cachar and Mikir Hills district of Assam and the Naga areas or the tribal areas in the Union territory of Manipur I want to make it quite clear that they have got only these two districts, the tribal sub-divisions of Manipur and the tribal areas of North Cachar and Mikir hills, in their mind when they introduced this Bill

In my humble opinion this measure is unnecessary and also unwarranted This Bill is sure to bring about complications and many difficulties in those areas which are going to be declared as disturbed areas I fail to understand why the military authorities are to be invested with special powers I have found that these military authorities have always committed excesses in many cases, especially in the sub-divisions of Kohima and Mokokchung In such a situation I do not like that the officers should be invested with such special powers Recently, such an incident took place in the headquarters of the North Cachar and Mikir Hills district Instead of rounding the hostile Nagas, some military personnel tres-passed into the houses of some retired tribal official and committed rape on the widow So, such things have deteriorated the situation The tribal people have risen against the military people there It is, therefore, dangerous to invest the military authorities with extraordinary powers of killing and of arrest without warrant and of house-breaking

I have got reports of the operations of the armed forces in these tribal sub-divisions of Manipur, especially in the sub-division of Tamenglong where these armed forces have by force occupied the religious institutions, in spite of the protests of the local people Most of them are Christians there and they hold their churches sacred But these armed forces would occupy these institutions There are schools, and the armed forces could easily occupy them, but then, in spite of the protests of the people, they encroached upon, and trespassed into the houses

Then, very often persecutions and also harassments would take place I would rather request the Government not to encourage such things in the tribal areas They would wound the religious susceptibilities of the people there and would create more difficulties

This piece of legislation is an anti-democratic measure and also a reactionary one Instead of helping to keep the law and order position in

[Shri L Achaw Singh]

these areas, if they declare some areas as disturbed areas, it would cause more repression, more misunderstanding and more of unnecessary persecutions in the tribal areas This is a black law This is also an act of provocation on the part of the Government How can we imagine that these military officers should be allowed to shoot to kill and without warrant arrest and search? This is a lawless law There are various provisions in the Indian Penal Code and in the Criminal Procedure Code and they can easily deal with the law and order situation in these parts I am afraid that this measure will only sever the right of the people and harass innocent folk and deteriorate the situation

The stationing of troops in the border areas of Assam and Manipur and also in the Naga Hills has been a very disturbing feature to the tribal people It will not help the situation, and the sooner these troops are withdrawn, the better Now that the conditions have come to normal in the Naga Hills and most of the tribal areas, it is better that the troops are withdrawn and let things take their own course Those who commit crimes and murders in these areas can be dealt with under the ordinary provisions of the law

Coming to the Naga hostile activities in the Union territory of Manipur, I am quite sure that there have been no violent killings, no violent activities, in any of those areas There has been no murder It is true that some of them have infilterated into the tribal areas of Manipur and have looted some houses or commited some dacoity But then they have never killed or done any violence So, it is not necessary that the military authorities should be invested with special powers We have a bitter experience in the Kohima and Mokokchung areas and those things should not be repeated These repressive measures will only help the situation to deteriorate and force the innocent tribal people to join the ranks of the hostiles Some of the Naga people in Manipur have got naturally some sympathy with the Naga movement in the Naga Hills, and this measure will give them a good handle to rise against the Government I am sure there are lower Nagas and by and large the tribal people in Manipur are loyal to the Government and their hands should be strengthened, and this Bill will not at all be able to give them a strong hand Such drastic measures and desperate measure should be avoided

The Government have said that the situation is under control. On the other hand, they say, "give us more powers We have to control it" This is very ambiguous

I would like to ask one question at the end Why the Government has been following all the time such a negative policy? For example, in Shillong, they have maintained the family of Phizo, and they have educated the children of Phizo at a cost of Rs 500 per mensem On the other hand, they are rounding up the Naga hostiles How is it that on the one hand they are helping them, and, on the other hand, they have been trying to round them off? This is an ambiguous position Government should take up a positive policy from now

Shri P. C. Borooah (Sibsagar). I rise to support this Bill and I believe that with all the eloquence of my friends opposite, there is an overwhelming majority in favour of the Bill, because the House is well aware of the recent incidents taking place in the border areas of Assam, Manipur and also in the Naga Hill proper Also, the note that has been circulated by the Ministry explaining the circumstances under which the ordinance had to be promulgated is before us With all these before us, I believe the Bill will have an easy sailing so far as the point of law and order is concerned

But my feeling is this that, if we confine ourselves to treat the Naga problem as a law and order problem alone, we will be doing a great wrong and we will never be able to solve the complicated problem of the Nagas. They are a virile and vigorous community, although their number is only a little over 2 lakhs, they have got the gut and stamina to rise against the mighty armed forces of a regime of 38 crores. All efforts must be made to understand them, their feelings and to know where their fear or suspicion lies

District autonomy was given to the six hill districts of Assam by the sixth schedule of the Constitution But only five hill districts enjoying their autonomy This was refused by the Nagas There were 3 constituencies in the Naga Hills in the Assam Legislature But in the first Assembly, none came forward to be representative and all the seats remained vacant Although in the second Assembly one seat was somehow filled, that was also a short-lived one on account of the fact that administrative set-up changed in the meantime

Then came the Kohima Convention which was held towards the end of last year and the liberal Nagas—their number is very small—made an attempt to bring about a settlement between the hostile Nagas and the Government As a consequence of that, a general amnesty was declared, but very few hostiles surrendered Then came the decision from the Centre that the Naga Hills area will be transferred from the administrative control of the Assam Government and along with that Tuensang, a district of the NEFA also While taking this decision, the people of Assam were not consulted. Naga Hills was always forming a part of Assam and from ancient times, the Assamese and the Nagas have been living very peacefully and as brothers Assamese is the only language that is being understood by the different tribes of the Nagas. They have got different tribes speaking different dialects and one tribe does not understand the dialects of the other. Assamese is the only language which is acting as the *lingua franca* of the Naga Hills

We do not know how long this position of the Assamese language will continue, because we have the sorry experience of the activities of the over-enthusiast pro-Hindi officers in the NEFA area The history of Assam for the last 11 years tells a sad tale When in other parts of India, we were combining the different States to make fewer stronger States—Saurashtra and Maharashtra have been combined, liquidation of Hyderabad to strengthen Andhra, Mysore and Bombay *was done, combination of Madhya* Bharat and Madhya Pradesh effected, —Assam has been cut to pieces administratively The big district of Sylhet went to Pakistan at the time of partition of the country.

Mr. Deputy-Speaker: The hon Member has taken up a very wide subject. He must confine himself to the Bill.

Shri P. C. Borooah: I am showing how Assam has been butchered administratively.

Mr. Deputy-Speaker: That might be done at some other moment. We are hard-pressed for time now.

Shri P. C. Borooah: The local people have become very apathetic and all the charm is lost Nothing is done for solving the NEFA and Naga problems

As I have already said, the Naga problem should not be viewed as a problem of law and order alone The problem is one of removing the suspicion and fear from the minds of the 2½ lakhs of Naga population about our *bona fides* It is a challenge to the Indian statesmanship; and I believe our statesmanship will not fail and soon we will be able to see the hostilities end, Nagas happy and the people of Assam live peacefully

With these words, Sir, I support the Bill

Shri Basumatari (Goalpara—Reserved—Sch Tribes): I have nothing to say against this Bill, as the circumst-

[Shri Basumatari]

ances prevailing in that area have compelled the Government of India to bring forward this Bill. But the question is, why has such a situation arisen? If you read the past history from beginning to end, you will find that things are quite different, because the relations of the Naga people and the tribal people in the plains were very cordial and they had even inter-marriage and inter-dining. The Naga people have 24 different dialects, and they do not understand each other but through broken Assamese. They exchange their views. So, the relations were very cordial, but the British wanted to separate them under the policy of divide and rule. They were kept in excluded and partially excluded areas and for a long time, they were kept isolated from the rest of Assam and India So, suspicion and fear grew in the minds of these people. It was done by the British people, but I do not understand why after independence, the same divide-and-rule policy has been pursued by the Government of India. I think they have been misguided by some of the officers left out by the British.

From the very beginning of my life, I was closely connected with the Naga people. Although my friend said just now that they did not participate in the elections, in between 1952 and 1957, some of them came down as goodwill mission before election of 1957 and they wanted to discuss the politics and the situation there and they did with this end in view, we also from Congress side invited our President of the Indian National Congress, Dhebar Bhai before the 1957 elections. Dhebhar Bhai came *via* Manipur and while we all reached Mokokchang, just before 15 minutes, we got the message that Dhebar Bhai would not be allowed to meet these people. The meeting was convened by us at Kohima where about two thousand people from all parts came to meet our President Dhebhar Bhai but when all of a sudden came to know that they were not allowed to see Dhebar Bhai, they changed their minds and became very virulent and suspicious since then. I want to ask, if they wanted to meet the President of the Indian National Congress, why they were not allowed to do so. I think Dhebar Bhai will be more competent person to reply to it. We discussed the matter with some of our friends and Naga leaders and found that all of them were very angry. They even wanted to insult us because they knew that we were the men who deceived them by convening a meeting there. So, as I said, some of my friends came in the name of goodwill mission to have discussions with leaders and Ministers of Assam before the election of 1957. One of them was a lady, very intelligent lady who worked as an interpreter. She used to call me brother and came to my place in Kohima Circuit House. She told me "you have missed the bus". She further said that all the leaders wanted to forego their independence issue. She was going on saying "You have deceived us badly; you have insulted us" Sir, They are simple unsophisticated people. At the same time, they are very proud. They cannot tolerate and stand these things. That is the nature of the tribals. Then came to Kohima Convention and there also the Government of India was ill advised and misguided by the officials where in they followed a wrong approach by taking action which they should not have taken. They separated the Naga and Tuensang area from the neighbouring area and took it away from the Assam Government. I can not support this measure. Though I cannot support Shri Bharucha's amendments, but I fully endorse what he said; I am a tribal man. I was all along among the tribal people. I know them well. They do not want to be deceived. They do not want domination from outside. And if there is to be domination, that should be by discussion and by winning the heart of the people. If you try to approach them by force, and by bullet you will never succeed you have to approach them in a phsychologically, friendly, and with brotherhood. It is only then

that you will be able to succeed If the Government of India thinks that they can succeed by following the policy that was pursued by the British Government, they are very much mistaken.

Shri Rangsang Suisa (Outer Manipur-Reserved-Sch. Tribes): Mr Deputy Speaker, Sir, I shall neither support the Ordinance, nor criticise it. But, I am afraid, as a Naga and as a person who has come from the locality where there is trouble for some time. I have to be very frank, because I want to see that the Naga problem is solved as soon as possible I would not mind if I have to offend any person or any leader, because we have taken the risk of our lives into our own hands since 1946. As soon as we got the news that the British regime was coming to an end, there was difference of opinion amongst the Nagas. One view was that the Naga territory must be separated from the Indian Union, and the other view was that instead of having separation they should have their own autonomy within the Union, and that they should not try to get separation from the Indian Union. Whatever that view may be, we shall never welcome any kind of foreign interference in relation to the Naga problem. So, I think I have to be very frank.

Instead of speaking against the Ordinance or about the Naga problem, as time at my disposal is very short, I want to ask the Government very seriously, very frankly and very bluntly: are the conditions such that this Ordinance is necessary in Manipur? Do the Government think that such kind of an Ordinance will solve the problem? I want to ask the Government this question very frankly because the Naga problem has become a thorn in the flesh of the Government If the leaders of today solve the problem, then the Naga problem will not arise for ever. But if this problem is not solved, even if the Nagas are physically suppressed and physically eliminated, the problem will be there and after some time the future generation will have to reap the fruits of the mistakes that are committed by us now. That is why I am asking them this question very frankly and very sincerely.

In spite of trying our best according to our ability according to our understanding, to solve the problem, I am sorry to say, that either the local Government or the Central Government have not taken these Nagas into confidence. Whenever they want to do anything they get reports either from the CID or the Intelligence Bureau or the military officers or local officers and do something which is quite contrary to the feelings of the local people.

I think you will all admit that some Nagas have lost their lives because they wanted to see that Naga territory is separated from the Indian Union There are still some Nagas who are co-operating with the Government and who are standing by the side of the Government. So, why don't Government ask those people who are co-operating with the Government whether such an Ordinance is necessary or not and what kind of policy they have to follow in regard to this problem All these Ordinances and sending of Armed Forces will not solve the problem. I can tell the House very clearly and very frankly that it is only creating more bitterness and harm. We know what a soldier is. A soldier is trained in the art of killing and destruction He cannot appreciate the yearning of the human soul. As soon as he finds a colleague of his is killed, his anxiety is to kill some other people, whether they belong to the rebel party or not So, we have to learn one lesson from the past actions. I wonder whether any people in the world, during the last two world wars, have suffered more than the Nagas But are they kneeling down? They will not kneel down. They are being suppressed. Physically you may suppress them and eliminate them. But the problem will still remain there It will be in their hearts.

[Shri Rungsung Suisa]

I had approached the local Government to give more food to the straving population They said they have not enough food to supply, because their demands have not been fully met by the Centre How can we be sure that the Indian Government is sincere to the Naga people unless they feed the people? Feed them, do something good for them, instead of killing them, instead of passing all these Ordinances. Let the people know that the Indian Government is spending crores of rupees for feeding the Naga people We are the people who are on the side of the Government but see, what is there now? It is only destruction and illtreatment How are we to placate the people? Tell us, very frankly We are only with the Government but the Government is not helping us by taking our words in confidence Certainly, I am not supporting the policy of approaching to the Naga problem because of several reasons I say as the first person among the Nagas who says that we would not invite any kind of foreign intervention in relation to the Naga problem We do not welcome even the British people If they loved as at all then they should have made special provisions for us But they have left us to decide our own ways So we have to decide our problem according to our own ways with the Indian Government.

Moreover, the question whether there is a possibility or not does not arise But it is not advisable for the Nagas to get separation from the Indian Union as economically it is not possible and physically also it is not possible I confess that whatever I may say now the people will not believe saying that he had protested against the Naga demand for complete separation from India since 1946 My words will not count I know that Moreover I am in the Congress Party and so I am not important in this Naga problem But there are some Nagas who are standing with the Government and who are ready to help the Government and who are working for the integrity of the nation. Only thing is that they cannot speak openly and very frankly just because of two reasons Firstly, because there are rebels among the Nagas and secondly because the present Government have not taken these very people into confidence But I say please take them into confidence and instead of passing such Ordinances, ask them very frankly whether the Ordinance is required whether the army is required or not and whether the stationing of Armed Forces is required there or not If they say—I say it is a Naga very frankly—if these Naga people who are co-operating with the Government say that the stationing of Armed Forces is still required, then station it If they say that they will settle among themselves, then have confidence in them and get the advice from them as to how to do it and how to deal with this problem Let me say to this very Government very frankly that when we have several problems with Pakistan and when we have got more problems to deal with, why should we send so many armed forces to the Naga area where there are some people who co-operate with the Government

I want to tell this House very frankly I am not convinced of district autonomy for the Nagas nor am I in favour of separation of the Naga territory from the Indian Union But on the other hand we have to see that we have to solve the problem with whomsoever we have got any problem Unless we invite Phizo's party, how can we solve the problem? We have to invite them Since we had difference of opinion we had fightings, but now let us seek for a compromise. After all we are Indians We are brothers and sisters Let us come and get to a compromise They may give up their demand for complete separation of the Naga territory from the Indian Union How do you expect the Nagas to be happy when these Nagas are in Burma, some are in this new unit Naga area and some in NEFA, and some north Cachar Hills and some are in Manipur? Can you

expect the Nagas to be happy whereas all other different elements of the Indian Union have been grouped together according to their own communities so far as geographical position permits? So we have to see all these problems from the practical point of view. If the Nagas are going to yield to this separation of Naga people into separate units then why should they fight and why should they protest?

Mr. Deputy-Speaker: The hon. Member has to conclude now.

Shri Rungsung Suisa: I am afraid I will take one more minute. So, I am saying it very frankly. I know that the Government will not like it. I am afraid my words may not be words that can be expected from the same party man. But I have to speak very frankly because I want to see Naga problem solved once for all if I have to criticise the Government policy. I say it will take me hours. I do not need any preparation. The words will come out themselves. I have my own eye-witnesses. I have been to Tuengsang and Makokchung Kohima and several places. I had interviews with these leaders, and with those people who are co-operating with the Government. I can say that this kind of Ordinance is not necessary in Manipur at all so long as we, the Nagas who are in Manipur, do not welcome this. They will never come to Manipur, but if we want to join the rebels then who will prevent us. Then, the Indian Armed Forces can kill us but they cannot prevent us. I am not going to be afraid of offending anybody, it is what it is.

We have got our own MNC in Manipur. It is completely under our control. Ask these leaders to go to the border areas. Send these leaders to convince their own brothers not to join their own brothers who are using force in place of the Armed Forces and soldiers who are going to create all sorts of bitterness, destruction. Let these Naga leaders go to the border areas and convince their brothers. It is not advisable for us to make Naga people resort to fighting today if we do not have any confidence in violence for the solution of Naga problem. We must see that through non-violence and through negotiation only something is done. How can the Government of India be justified in the eyes of the world that whereas the Naga people have been demanding for complete separation from India, the Indian Government have not been offering to the Naga people anything more than district autonomy.

Mr. Deputy-Speaker: The hon. Member has said enough.

Shri Runsung Suisa: So, I would like to request the Government to say very frankly whether they sincerely believe in such kind of policy in making such kind of ordinances without taking the feelings of the people into consideration and without learning any lesson from the past occasions or whether they have to change their approach to the Naga problem in a human way and to invite the Nagas to sit side by side with the Indian leaders and arrive at a compromise. I say to the Government that it will be the greatest credit for the Indian Government and for the Indian nation to get this Phizo's party side by side to work with us through non-violence. Then the world will see that Indian people believe in non-violence and it solves every problem through non-violence.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Deputy-Speaker, Sir, my hon. friend, Shri Bharucha, read from a preface written by the hon. Prime Minister to a pamphlet on Naga Hills area and what the Government have been doing in that respect. Government stands by every word that the Prime Minister has stated. The policy of the Government towards Nagas or towards all such people is one of a human approach, a friendly approach and to the extent that it is necessary also a persuasive approach and I might point out to this House that in spite of the powers that have been taken where they are necessary or

[Shri Rungsung Suisa]

unavoidable Government have been using them sparingly and a large class of people amongst the Nagas themselves have seen the futility of the ways of some of them and are co-operating in a friendly manner with Government. That is the approach that the Government have always had. These people are Indians. They are our citizens. The Government are always interested in improving the conditions there, the conditions of the people, and also the un-settled conditions that are brought about, that are sought to be kept there by certain misguided sections. Therefore, may I point out that so far as the Government approach is concerned, Government approach is a constructive approach and we are anxious to develop that area and to improve their conditions to the fullest extent.

Consistently with this general policy, if, for example, as unfortunately it is in this area, there is a small section of people who are trying their best to defy order and the settled conditions, naturally, Government have to see to it that the conditions are settled there If, for example, conditions are not settled, you will kindly see that the evil results therefrom will have to be experienced by the Nagas themselves. In order to save the Nagas themselves from the hostile and ruinous actions of their own brethren, it becomes necessary for the Government to arm themselves with powers, but to use them as sparingly as possible and only when it becomes absolutely essential

So far as the present Bill is concerned, it does not deal with the Naga Hills area or with the Kohima area. It deals with Assam and Manipur areas. What happened is, so far as the other area is concerned, we had a Regulation in 1956 and certain powers were taken. Afterwards it was found that though conditions had radically improved, still, the presence of such a Regulation on the statute-book itself had a restraining influence. Therefore, in the other area also, you will find that this particular Regulation has been issued and continues in force even now. Here, we are concerned only with the State of Assam and the territory of Manipur. What has happened is that in the adjoining area, the trouble that was created by these people has been, to a large extent, brought under control. Therefore, what they are trying to do is, they are trying to move their area of operation to the adjoining area in Assam and Manipur. That is the reason why the Government are considering it necessary to have a precautionary or preventive measure.

So far as the present Bill is concerned, it was contended that after the last Parliament went into recess, within a few days, the Ordinance had to be issued. It is true that an Ordinance had to be issued. When we find that there are certain unruly or turbulent elements which create trouble and if the trouble requires immediate attention, naturally, an Ordinance has got to be issued. That is the reason why towards the end of May, an Ordinance was issued. Here, we are not dealing with an ordinance We are having a law. That is why the present Bill has been brought forward. Under these circumstances, we have to take into account the particular position that is there.

In the first place, this particular Bill is not a martial law at all. Neither is it an extraordinary law as some hon. Members have contened or stated in this respect. May I point out here, what has been done in this particular case is, on the model of the law that we had in the other territory, here, it was considered that such a law ought to be on the statute-book. That is the reason. So far as these two areas Assam and Manipur are concerned, what we have done is to have power with the State Government or with the territorial administration for the purpose of using or exercising these powers whenever a necessity arises. Most of the hon. Members,

very unfortunately and unrealistically, stated that power has been taken over a whole area. If, for example, the area of operation of the other unruly elements is extended to the whole area, the Government of Assam or Manipur must have such power. What has been done is, powers have been taken with a view to avoid, as far as possible, any occurrence of trouble in this particular area.

The next question that arises is whether the powers are being given to the Army authorities in an absolutely unjustifiable manner. In this particular case, may I point out what is being done? We have got already provisions in the Code of Criminal Procedure so far as calling in of military aid is concerned. What has been done there is, wherever there has been such trouble occurring here and there on account of certain excitement, naturally, it is open to the police and to the magistracy to control the situation. In circumstances where such incidents are not so many and are not spread over a very large area, it is open to the civil authorities to call in the military and it has been stated there that the military has to comply with or take orders from the magistrate. This has been pointed out in sections 129 to 131 of the Code of Criminal Procedure. The Magistate can call them in and they have to obey. It should be understood that even in the normal provisions of the Code of Criminal Procedure, you have section 131 where it is stated that the members of the Armed Forces are entrusted with the work of keeping law and order by taking necessary action. This is what is stated in section 131.

> "When the public security is manifestly endangered by any such assembly, and when no Magistrate can be communicated with,.....".

it is open to such a military officer to take necessary action. This circumstance may kindly be noted. What has not been done is this. It is not possible, it may not be possible when you have got a large disturbed area as it may arise and as it did arise in the adjoining area, it may be difficult to send a police force or keep magistrates present whenever certain proclamations have to be made or certain orders have to be passed. Here we are dealing with a peculiar situation where though the number of such persons is small, they are fairly well organised in modern warfare and also they are in possession of excellent uptodate military instruments or weapons. If, for example, the area of their operation is likely to be very large, it is open always to the Government of Assam or to the Chief Commissioner of Manipur to declare a certain area as disturbed area. If, unfortunately for us, the whole territory or the whole State becomes the field of operation, unlawful operation, destructive operation of these people, and naturally, in the interests of the maintenance of law and order, it becomes necessary, he can entrust that work to certain military officers. After there has been such an entrustment—then only—can the military officers carry on certain work and they are given certain powers. It should be understood that so far as the fundamental position is concerned, what has been done is, not that the military is being stationed there. My hon. friend was entirely wrong in dilating or waxing eloquent over the evils of stationing military. That is not the point here at all. Here, we are dealing with a territory, and a State. When it is found that the civil authorities like the magistracy or police could not do, only that work has to be entrusted for the time being to the military officers. This should be understood very clearly.

May I also point out, it has been stated that as soon as a person is arrested or a certain action is taken, immediately a report thereof has to be given to the nearest police station. Let that matter be understood very clearly. Therefore, here there is no

[Shri Rungsung Suisa]

emergency, no proclamation of an emergency, nothing wrong, only there is some extension of the powers already given under the normal provisions of the Code of Criminal Procedure to certain officers, because these officers come on the scene; and they will come on the scene only when the civil authorities find that they cannot cope with the situation. Then only they have to carry out all these things.

My hon. friend Shri Bharucha suggested: why should there be use of the expression "death"; why should not general words like "force" or "minimum force" be used? May I point out to him the restraining influence of all such provisions to the extent that it is necessary? It does not mean that every military officer must shoot. It is not a case of shooting to kill, as he unfortunately put it; it is a case of preventing further trouble, and if a particular element, a particular person or a gang of persons is intent upon spreading disorder or disturbance, then the final and the most effective weapon has also to be unfortunately but inevitably resorted to. This is the reason why this particular expression has been put in.

Therefore, let the other party also understand that merely ordinary actions will not be taken, that merely they will be detained or held or arrested, but that, if for keeping law and order or preventing disorder and the emergency of disturbances it becomes necessary to have recourse even to the last effective action, then the power ought to be given to the authorities. That is the reason why it has been mentioned here specifically.

Therefore, you will kindly see that in the present Bill there is the safeguard that immediately the action has to be reported, and that naturally in all such cases you will find that the minimum force is used, but it does not mean that in an extreme case maximum force cannot be used. That is the reason why the matter has been made specifically clear, and that is the reason why this Bill has been brought forward.

It is not that the whole of these two States are going to be declared as disturbed areas. We have got a Government there, a popular Government, an elected Ministry there, and therefore we ought to trust these people. Therefore, after gauging the situation, after assessing the situation, if they feel that the trouble can be located in a particular area, they will declare that area as a disturbed area. Otherwise, unfortunately, if it becomes necessary to curb all such elements, they may have to have the whole area declared as a disturbed area. Then only will the further powers be given to the officers. The officers also have been mentioned by their designations, and therefore the powers have been given to high officers so that they should not be used indiscriminately, and the final remedy of making a report, sending full information to the nearest *thana* is there. Therefore, even the military officers will have to act with restraint, but if necessary, they will have to act as firmly as the conditions require.

Under these circumstances, I would point out in all humility that this Bill is neither an extraordinary measure, nor is it martial law. It is a Bill meant for meeting the situation, the peculiar situation that arises there or that might arise there. That is the reason why these powers are sought, and they would be utilised only in a proper case and whenever circumstances require their use.

Shrimati Renu Chakravartty (Basirhat): There is just one point. The hon. Minister has not answered the basic point made in all the speeches, that the real way of dealing with it is to come to a political settlement. What is the idea of having an ordinance and the military?

Mr. Deputy-Speaker: This is exactly what he has said. He is trying to deal with that political situation.

The question is:

"That the Bill to enable certain special powers to be conferred upon members of the armed force in disturbed areas in the State of Assam and the Union territory of Manipur be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clauses 2 and 3 stand part of the Bill".

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4—(Special powers of the Armed Forces)

Shri Naushir Bharucha: I beg to move:

"Page 2, lines 9 and 10,—

for 'fire upon or otherwise use force, even to the causing of death' *substitute*—

'fire upon or otherwise use minimum necessary force' ".

Shri L. Achaw Singh: I beg to move·

"Page 2, (i) in line 8, *omit* 'such'; and

(ii) in lines 8 and 9, *omit* 'as he may consider necessary'

Page 2, lines 9 and 10, *omit* 'even to the causing of death' "

Mr. Deputy-Speaker: I shall now put the above amendments.

The question is:

"Page 2, lines 9 and 10,—*for* 'fire upon or otherwise use force, even to the causing of death' *substitute* 'fire upon or otherwise use minimum necessary force' ".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"Page 2, (i) in line 8, *omit* 'such'; and (ii) in lines 8 and 9, *omit* 'as he may consider necessary'.

Page 2, lines 9 and 10, *omit* 'even to the causing of death' ".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Mr. Deputy-Speaker: Clause 5. Any amendments? None.

The question is:

"That clause 5 stand part of the Bill"

The motion was adopted.

Clause 5 was added to the Bill.

Mr. Deputy-Speaker: Is the amendment No 1 proposing new clause 5A going to be moved? No

The question is:

"That clauses 6 and 7 stand part of the Bill."

The motion was adopted.

Clauses 6 and 7 were added to the Bill.

Mr. Deputy-Speaker: The question is:

"That clause 1, the Enacting Fromula and Title stand part of the Bill".

The motion was adopted.

Clause 1, the Enacting Formula and Title were added to the Bill.

Shri Datar: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed".

Shri Jaipal Singh (Ranchi west-Reserved-Sch. Tribes) *rose*—

Mr. Deputy-Speaker: Yes, only two minutes. We must start the next item by 4.

Shri Jaipal Singh: I regret that Government, every time they have come forward for enabling powers, have always made sanctimonious declarations in regard to the very brave people of Nagasthan. They have always told us that they have tried to approach this and other problems of similar people, that is the expression they use, from the human angle. They have refused not only once, but again and again to come in touch with, to make that human approach to, the Nagas. Government have miserably failed in this regard. I cannot state this too strongly.

This problem began about eight to nine years ago, when the Prime Minister himself refused to meet the original rebel. Now, of course, his regiment, his battalion, has become enormous. It is no good the Treasury Benches trying to tell us that only a small section has to be dealt with; hence this extraordinary piece of legislation, martial law being made into ordinary law—that is what it is. Let them not run away from this fact

I for one certainly do want to give every power, military or otherwise, that Government do require in that frontier province. If my humble words can reach the Naga people, whether they are in India or outside India, whether it is in the no man's land east of India or it is in Burma or north of Burma, all that I say is that we, all of us, stand by them in their demand, for that feeling of oneness, to have one consolidated Nagasthan within the territory of India. We are with them, but it must be only with that one point. We must make them feel one. We are not doing that. May I continue?

Mr. Deputy-Speaker: The next item has to be taken up at 4.

Shri Jaipal Singh: Since it cannot be finalised, the discussion continues I think.

Mr. Deputy-Speaker: No. I do not think. There is no other speech to be made I only allowed Shri Jaipal Singh two minutes.

Shri Jaipal Singh: May I, in that case, have my name recorded as opposing the Bill?

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

Those in favour will say "Aye".

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those against will say "No".

Some Hon. Members: No.

Mr. Deputy-Speaker: The "Ayes" have it.

Shri Jaipal Singh: The "Noes" have it. I wish to have my name recorded.

Mr. Deputy-Speaker: Only the name has to be recorded of Shri Jaipal Singh? Or, does he want a division?

Shri Jaipal Singh: My name may be recorded, and my division number.

Shri Tyagi: Unless there is a division, there is no way of recording.

Mr. Deputy-Speaker: Anyway, he is saying again and again that his name should be recorded.

Shri Tyagi: That has gone into the proceedings.

18 hrs.

Shri Jaipal Singh: I think my hon. friend has forgotten the position. I think he is becoming more or less an interpreter of the rules of this House. I think it is very clear that I am entitled to have my name recorded.

Shri Tyagi: No.

Mr. Deputy-Speaker: His name has been recorded, and his opinion has been recorded, namely that he is opposing it. The point is whether he wants division now. I have declared that the 'Ayes' have it.

Shri Jaipal Singh: No.

Mr. Deputy-Speaker: The 'Ayes' have it, the 'Ayes' have it.

The motion was adopted.

16.01 hrs.

MOTIONS FOR ADJOURNMENT —*contd.*

BREAKDOWN OF WATER SUPPLY IN DELHI

Shri Goray: Sir, I beg to move:

"That the House do now adjourn".

16.01 hrs.

[MR SPEAKER *in the Chair*]

एक माननीय सदस्य : पाच घंटे हो गये सदस्यों को पानी नही मिला है ।

Shri Goray: I am grateful to you for admitting this motion of adjournment. Sir, how acute the position is regarding the supply of water to this metropolitan city of Delhi can be imagined from the fact that Members of this Lok Sabha have not been able to have even a glass of water in this House up to this minute.

Shri Nawshir Bharucha (East Khandesh): That is complete mismanagement.

Shri Goray: We were told in this House that....

Mr. Speaker: There is no water available here?

Shri Nath Pai: No water even now.

Shri Goray: . . . water will be made available in this House, but not a drop has been coming since then, and still it is only in the realm of promise. . .

Mr. Speaker: I will make arrangements immediately.

Shri Goray: . . .and so far, no action has been taken.

It is not only because the Members of Parliament have been deprived of water that I am raising this question but because a million people in this city have been victims of this inefficiency and lack of imagination on the part of the department concerned. I listened very carefully to the statement made before this House by the Minister, Shri Karmarkar. He said 'I would like to take into confidence the Members of House', but I found that he did not take us into confidence at all What he told us was a rehash of what everyone of us had read in the morning papers.

He said that it was not possible for his department or his engineers to give sufficient water because the Jamuna was behaving in a very unpredictable manner. I think this city of Delhi has been on the banks of the Jamuna for quite a long time, and this vagrancy of the Jamuna is not new She must have been behaving like that for centuries. I think we are not living in the age of Mohenjodaro where a civilisation was completely overwhelmed perhaps by the floods. We have the modern techniques; we have the modern know-how. In *Bhagirath*, we are told every day that our engineers are second to none, and

[Shri Goray]

we are constructing wonders of engineering skill not only here but in Bhakra-Nangal and in so many other places. When you are building a city of this magnitude, when you are trying to make Delhi into one of the biggest cities in the world, one of the most attractive cities in the world, I think it is commonsense that you should at the same time think of sufficient supply of water to a city like this.

So far as this city is concerned, I find that a month back, we were told that the city was a victim of floods; and down the Parliament street, we were seeing a deluge of water. So many houses were flooded, and even the newly constructed buildings of our secretariat had so much of water in them that files and documents were destroyed, and they had to be put out in the sun for drying. The whole telephone system went out of order. The drainage system went out of order. Electricity failed. Now, after fifteen days, we are told that the supply of water has failed. What is happening to this city? One day, we may be told that because of the floods in the Jamuna, not only the electricity and telephone systems have failed but even the Government system has failed and the whole Government has been washed down in the floods of the Jamuna.

Shri Khushwaqt Rai (Kheri): That would be better.

Shri Goray: I am raising this question on the floor of the House because I want that people who are responsible, even the Minister who is responsible for running this Ministry should bear in mind that there is a limit to which people can be played with. There is a limit to which people's patience can put up with this sort of inefficiency. What will happen to the people in Delhi if supply of water fails for another six hours? It has been impossible for housewives to cook. There is no water in our places. We had no notice, and we had not stored water. And I do not know what I shall do when I go back home. Therefore, this is a situation which should be remedied immediately.

The Minister said that he had sent his Deputy Secretary to see what had happened. I do not know what these Deputy Secretaries are. Really when the convenience of the millions of people is involved, I thought it was a case where the Minister himself ought to have taken interest; but he thinks it is not a very big matter at all, and the Deputy Secretary is enough to cope with the situation. That shows that thre is not only inefficiency in the Government but there is callousness in the Government, and that is what I want to attack with all the force at my command.

All sorts of reasons have been trotted out in order to save the prestige of the Health Ministry. I would only like to point out that a similar situation had arisen two years back; a committee was appointed, and that was asked to find out the reasons why there was such a large-scale pollution of water, and suggest what should be done to prevent it in the future. That committee submitted a report. Now, two years have passed, and precious little has been done so far to implement the report. We were told by the Minister that they have been trying to build a wall, a protective wall, and that has been completed. But I do not know why he should be satisfied only with that. Why was it not possible to complete the whole programme that was given by the expert committee? That committee said that there should be an anicut or a weir, so that there would be enough water to be supplied to the city of Delhi. That has not been completed as yet. I wonder if it has been started at all.

Now, building a bund or building a weir is not such a difficult task that only one engineering firm could do it. If it was beyond the power of

one engineering firm or one contractors' firm to do it, we could have employed two or three firms. The question was one of urgency; the question was of supplying water to millions of people. I say that this question ought to have been treated a question of the prestige of this city.

Here, there are embassies from all corners of the world. What would they think of this Government if they are deprived of water? Are we going to tell them, 'Well, you have to wait for twenty-four or thirty-six hours.'? And if there is not going to be any water, what opinion will they form of the efficiency of our Government?

So, I would like to stress this point that this must be immediately gone into, and something drastic must be done to bring the people who are responsible for this state of affairs, to book.

At that time, Sir, the Committee had pointed out three things, and they said that these should be immediately put into operation. Not only that; they suggested that to put these things into practice, to complete this programme, if necessary, there should be an expert committee to supervise this work. I do not know whether that has been done.

The three programmes or projects that they suggested were as follows. The first was that the Najafgarh Nulla should be so trained that it would not be possible in the future for the dirt in the Nulla to mix with Jamuna water. To a certain extent, this scheme has been completed, but it is not fool-proof. As soon as there are floods, as the Minister said, it becomes impossible to prevent this sewage water from mixing with the Jamuna water. And Jamuna is going to give us floods every year. That much we know. Therefore, it means that it was a very urgent work and it ought to have been completed earlier, that is, before the floods occurred this year.

The second project related to the construction of an anicut so that it will cross the river and make it possible to store water. That has not been done, so far as I know.

The third very important suggestion was—and the Committee had made this suggestion in very specific terms—that for a growing city of the magnitude and importance of Delhi, another source of supply, independent of the Jamuna river, was imperative. They said, 'Do not put all the eggs in one basket'. These are their words. They advised us that we should not have all the eggs in one basket, which obviously means 'Do not depend on Jamuna alone'. There must be an alternative source. Not only did they say that there should be an alternative source of supply, but they went out of their way to point out where that source is. They said that ten miles from Delhi, there is the Hindon river. It is a perennial river. They said that it flows into the Agra Canal, and if that water could be utilised, there will be no dearth of water so far as Delhi is concerned.

They also said—at that time there was some difficulty raised by some people saying that there is going to be a bridge and there is going to be a rail track and therefore, it would not be possible to bring that water through pipes—that the difficulty about pipelines does not now remain. Therefore, it should be possible to have pipelines with a diameter of 48 inches so that we could have a constant flow of water in Delhi from the Hindon river. They have said there is already some sort of a 'cut' in the river through which the water flows. They have indicated that the quantity of the water is 1200 cusecs and all that water goes into the Agra Canal.

Therefore, I think, that when a committee of experts recommended these things two years back and the Minister comes here and tells us today that the work is progressing, some of it has been completed and

[Shri Goray]

some still remains to be completed, this matter was not taken up with the urgency which it required. That is why we find ourselves in this mess.

Now, I know that whatever he does, the hon. Minister cannot conjure water from anywhere. It is not possible. Things which ought to have been done have not been done. I only want to say this: let this be a sufficient lesson I think this Government suffers from complacency.

Just now, we heard about the situation in Assam. We hear about so many things We allow things to drift.

Shri Jaipal Singh (Ranchi West-Reserved-Sch. Tribes). They allow, not we.

Shri Goray: Then we try to hurry up and do something—which we can never do We must catch time by the forelock, because we want to build up this city so as to become the pride of the nation Even a tyro in engineering would expect that the Government had given more thought to the supply of water which is the first essential of a city. Whether it is drainage or whether it is water supply, it depends on ample supply of water.

I do not know why there are no tube-wells here We are told that the water level in this city is so high that under six feet or eight feet, we get ample water. As a standby, why should we not think of tube-wells? That water may not be very pure, but it will be a standby, something on which we can fall back, when there is not sufficient supply, we can take it as an alternative source of supply

Therefore, I want to place before this House this warning that unless we did something very drastic, unless we considered this issue as a very important issue, it would not be possible for us to solve it, and most probably next year or within the next two months, we shall be faced with the same situation again which is not at all a good thing.

Sir, I thought that the Minister of Health would look at this matter rather seriously. Within a span of two years there are two scandals—one of impure water giving rise to jaundice and all sort of things, and new complete failure of water supply. I think this is enough for any Ministry to make it sit up and take note of. *I do not say that the Minister should* resign, but I would have welcomed even this gesture ... *(Interruptions)*.

Shri Jaipal Singh: He is a Maharashtrian.

Shri Goray: Do not raise the question of Maharashtra here. I want the debate to be on a high level.

I was saying that even resignation from the Minister would have been welcome because I think the officers will not be impressed properly unless they think that the Minister himself is serious about these things.

The House is very serious about it, Sir, and I want that even the Members of the Congress Party and Members of the Cabinet should be one with us on this issue They should tell the officers that we are very serious about these things and 'though we have pardoned you so long, in future, do not expect this leniency from us'.

I press this adjournment motion for the acceptance of the House

Mr. Speaker: Motion moved:

"That the House do now adjourn"

The time-limit for speeches will be 15 minutes

Raja Mahendra Pratap (Mathura): It will be much better if we all go for Shramdan and the Minister goes to Jamuna site

Shri A. K. Gopalan: I have pointed out in the morning certain things. I do not want to elaborate those points which have already been explained. The question now is: how soon can we get water? Another important question is: when we get water, how much less will be the contamination?

Going through the Report of the Jaundice Inquiry Committee, I find there has been a controversy on this point When the Committee took evidence, one Shri Mehta said that his consideration was not to get water soon but when he got water how contaminated it was, and he wanted to stop it I do not go into the whole Report But I want to point out certain things because even if we get water, even if it is delayed, according to this report, there is certainly danger of contamination also when we get water.

I do not touch on the first point which has been explained here already, the necessity of ensuring water supply in this great city Not only that, but I will also point out the abnormality of life in this great city Unfortunately, because of jaundice, so many thousands of people suffered and so many also died Only recently there had been a flood, and when there was flood for some days the connection between Old Delhi and New Delhi was disturbed and people could not go from one place to another I got reports that when there was flood, there was dislocation of the telephones and even today in some places they have not been restored The question is people are not getting water I understand that in some places where they do not get water they are taking water which is used for watering plants and there is danger of contamination

Why is it that Government have not gone into the recommendations of this Committee We appointed a committee when there was jaundice, we took up the question in Parliament We said that it was a serious thing and it should not happen again. And so the Committee was appointed. If the Government had seriously taken the report they should have implemented the suggestions given in the report. We have great projects like the Bhakra-Nangal and others But how is it that serious notice was not taken of the suggestions given by the Jaundice Enquiry Committee for an alternative supply of water? The report was given two years ago and they have given us a warning that we should not depend on the Jamuna waters as there will always be a receding back of the waters and that we should have an alternative supply of water They had given two or three schemes by which alternative supply of water could be had

Before I go into that question I want to say this The Minister said that on the 15th evening they came to know what was happening Even when on the 15th the Minister and the authorities knew that something would happen and there would be a breakdown of water supply, how is it that even for one hour there was breakdown of water supply? How is it that they did not give any warning to the people so that they could store water? That is the most important thing It has been admitted and there is no going back now on that Why is it that when they knew on the 15th that there was likely to be a breakdown in water supply they did not caution the people or find out a tubewell or something from where they could get water? It is because they did not care about the difficulties of the people When there is no warning given to the people and there is a sudden breakdown in the supply of water, they will not be able to store water even for drinking purposes There are other purposes for which there will be no water at all Even if there is no food for one or two days, one can take a cup of water Today till now there is no water and there are people who did not know that they would not have any water It is certainly a case of gross negligence and callousness for human life

[Shri A. K. Gopalan]

As far as the Committee is concerned, they have given two suggestions, one a long-term one and the other a temporary measure. The committee has noted that unless there is a temporary measure till the permanent one is completed, there will be this casualty. Every year when there is flood, there will be receding back of the waters and there will be difficulty. They say, here is a permanent remedy and till that that is completed there is a temporary measure so that when there is a breakdown people may not suffer.

In this report they have devoted a long chapter to the contamination of water. They have said that when there is a breakdown and when there is a receding of water there would certainly be contamination and so you must be prepared. When there is a breakdown you must get water sooner and there must be no contamination also. That was a point which was discussed very much in this House I do not want to go into that because there is no time.

They say:

"Towards the end of October the Water Works engineer got an idea that the river was perhaps receding more towards the other bank during that year than in the past. This view was confirmed on the 3rd of November...."

"On the 9th November the situation was getting worse as the river was apparently more rapidly receding towards the other bank and the quantity of water at the point of intake was getting less and less."

The report has said that not only will there be no water but when there is receding of water and when there is breakdown, when we get water there is also the danger of contamination.

I have already read out the terms of reference of this Committee in the morning. Two or three of the terms are:

"The shortcomings if any in the organization, management of the Delhi Joint Water and Sewage Board and of the drinking water arrangements....".

"Major difficulties and defects that exist at present in the water supply and sewerage system and the steps to be taken to remove them."

They have given the shortcomings of the existing system and they have said two or three. I do not want to go into that because I have no time. They have suggested remedies also. They say:

"The tendency of the river to recede towards the other bank (opposite to the intake) after every flood necessitates, on some occasions, sucking of river water from the downstream of the intake, to maintain adequate supply to the city. It is on such occasions that the supply drawn by the pumps may get polluted by the sewage brought down to the river by the Najafgarh Nulla."

"The flow in the river in the latter part of the hot weather is not adequate to meet the growing demands of the city and temporary arrangements are being made for the past three years to augment the supply with the help of canal water. This indicates the urgent necessity of securing an alternative permanent source of supply."

Here they have shown that because this is happening every year this indicates the urgent necessity for securing a permanent alternative supply so that when there is any breakdown there may not be any complaint in regard to water supply as well as

about contamination They have suggested remedies and I do not want to go into all the remedies They have suggested a temporary remedy before the permanent remedies are completed. As the hon Minister pointed out it will take time, I want to know why they have not taken steps.

Is it because there are no engineers or is it because there is no money? According to the Report only Rs 14 or Rs. 15 lakhs are necessary Why is it that the temporary remedy suggested by the committee was not taken into consideration? We want to know what were the difficulties in the way of the temporary arrangements they have already mentioned

The next point is this. In this alternative supply of water they have also pointed out the urgent necessity of getting this done very soon That has also not been done

Why was this committee appointed? Because there was the great danger of jaundice that was there When a committee was appointed and when it gave a report on the very important question of water supply and contamination also, why did not Government give it top priority and see that in future there is no break in water supply It is not only our people Delhi is an international city where foreigners and others come They find that for one or two days, there is no water and all the people are suffering Why is it that the Government has not been able to remedy the situation?

On the 15th of August, it was known that there would be a breakdown It was known to the authorities concerned I quoted in the morning *the Times of India* saying that the engineer has said that they expected that there would be something but they could not do anything. Why is it that they could not do anything? That report in that paper says that if there had been some tube-wells here and there and if there had been some pumps, people would have been able to get some water That was not done If no steps were taken after a very good report has been given by a Committee, the whole responsibility is on the Government and it is due to the callousness on the part of the Government in not caring for the life of the people The report categorically says that some alternative arrangements must be made It says do not depend upon nature alone because the Jamuna may be receding What has been done? Permanent arrangements had to be made but till that time, temporary arrangements should be made If you do not do that, there will be a breakdown in the supply of water and there will be contamination also. Even now there is no water Even if it becomes available, there is the question of contamination We should take serious notice of these things and so I support this motion

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Sir, I am not speaking on this question at this stage but perhaps the House would be interested in the latest information which we have received The hon Shri Gopalan put a question about it as to when the supply can be resumed, etc. The work of cutting the channel has been going on since this morning and the latest expectation is, the message says, that we may be able to give 2-3 hours supply this evening—it was announced in the radio—from 5 to 7, and may be more It may be possible to keep on the supply a little longer than two hours We hope by tomorrow morning the position will be restored, more or less, to normalcy

As for the other part of Mr. Gopalan's question, that is, about contamination of water, there is nothing in this message but it is certainly advisable not to take any risks about it till we are quite sure and therefore, it has been said that for drinking purposes, water should be boiled.

श्री राजा रामन्ना : अध्यक्ष महोदय, मैं आपका अत्यन्त आभारी हूं कि आपने मुझे इस पानी की समस्या पर जो कि दिल्ली में इस वक्त मौजूद है, बोलने का मौका दिया है और जो स्थिति आज पैदा हो गई है उस पर मैं अपने विचार रखूंगा ।

यह पानी का मसला इस दिल्ली शहर में बहुत अर्से से चला आ रहा है और बार बार इस सभा के अन्दर भी यह प्रश्न आता रहा है और इसको हल करने की आवश्यकता पर भी जोर दिया जाता रहा है । यह भी कहा जाता रहा है कि दिल्ली में लोगों को पानी पर्याप्त मात्रा में उपलब्ध नहीं होता है । हमें देखना यह है कि जहां आज हम इस प्रश्न पर वाद-विवाद कर रहे हैं वहां किन कारणों से और बावजूद इसके कि सरकार ने बार बार हमें यकीन दिलाये हैं कि घबराने की कोई आवश्यकता नहीं है और हम भी उन यकीनों को सामने रख कर आगे चलते हैं, यह मसला पूरी तरह से हल होने में क्यों नहीं आया है ।

इसके पहले कि मैं विरोधी दल के वक्ता श्री गोरे जी ने जो कुछ कहा है उसके विषय में अपने विचार प्रकट करूं, दो चार बात कह देना मुनासिब समझता हूं ताकि दिल्ली में पानी की जो स्थिति इस वक्त है वह स्पष्ट हो जाए ।

अगर आप जो सरकारी रिपोर्टें और वक्तव्य समय समय पर दिये गये हैं उनको सामने रखें तो आपको ऐसा लगेगा कि सन १९४१–४२ में दिल्ली में जो पानी का आवश्यकता था वह १६ मिलियन गलन थी और बढ़ते बढ़ते सन् १९५६–५७ में यह ५९ मिलियन के करीब आ चुकी है और आजकल यह करीब करीब ६० या ६२ मिलियन गैलन तक पहुंच चुकी है । इस वक्त दिल्ली में जो वाटर एंड स्यूएज बोर्ड काम कर रहा है और जिसकी नियुक्ति सरकार ने कुछ अर्से पहले की थी और जो आजकल दिल्ली कारपोरेशन के अधीन है, उसके चैयरमैन एक विरोधी दल के सदस्य हैं जिनका नाम श्री भारद्वाज है और जो जन संघ से सम्बन्ध रखते हैं । जहां हम सरकार की आलोचना करते हैं या सरकार में पानी की सप्लाई चालू रखने में जो कोताही की है उसकी चर्चा करते हैं वहां हमें यह भी देखना है कि जो हमारे नान–आफिशल नेता होते हैं, गैर-सरकारी नेता होते हैं आया वे भी अपना कर्तव्य भली-भांति कर रहे हैं या नहीं कर रहे हैं। जो स्थिति आज पैदा हो गई है और जिस गम्भीर रूप में वह पैदा हो गई है, उसमें मैं समझता हूं कि कुछ परमात्मा की तरफ से चेतावनी भी है कि जब कभी भी हम ऐसी नियुक्तियां किया करें तो कुछ सोच विचार कर किया करें । विरोधी दल के लोग बातें बहुत करते हैं लेकिन जब समय आता है तो बिल्कुल फेल हो जाते हैं ।

दूसरी बात मैं यह कहना चाहता हूं कि वाटर और स्यूएज बोर्ड जो इस वक्त बना हुआ है उसके सामने दो बाधायें रहती हैं । एक बाधा तो यह कि उसका जो काम चलता है व नो-प्राफिट नो-लास बेसिस पर चलता है और इस बेसिस पर चलने से जो पानी की समस्या है वह हल नहीं हो सकती है । साथ ही सरकार की ओर से उसको कोई सबसिडी नहीं मिलती है और लगातार यह सवाल सरकार के सामने रखा जाता रहा है कि पानी की समस्या को नो-प्राफिट नो-लास बैसिस पर हल करना कठिन है । दूसरी चीज यह है कि वाटर ऐंड स्यूएज बोर्ड जो इस वक्त पानी की समस्या को हल करने में लगा हुआ है उसके सामने जब सब स्कीमें आती

हैं और वह उन स्कीमों को सरकार के सामने रखता है तो उनमें जो रकम इनवाल्व्ड होती है वह बहुत अधिक होती है और उन रकमों को उसको लोन के तौर पर दिया जाता है जिन पर भी इंटरेस्ट लिया जाता है। तो जिस एजेंसी को यह कार्य करना है अगर आप उसके हाथ पांव बांध देते हैं और साथ ही आप यह चाहते हैं कि वह इस समस्या को वार-बेसिस पर या लड़ाई के दौरान में जिस तेजी के साथ काम होता है उस तेजी के साथ हल करे तो यह कठिन मालूम देता है। तो इन दोनों कठिनाइयों की ओर मैं इस सदन का ध्यान दिलाना चाहता हूं। अगर आप चाहते हैं कि दिल्ली मे पानी की समस्या हल हो तो पहले इन रुकावटों को आपको फौरन ही दूर कर देना चाहिये। जहां तक वाटर सप्लाई का ताल्लुक है दिल्ली के वाटर एंड स्यूएज बोर्ड के हाथ पांव आपको नहीं बांधने चाहिये और उसको जितना भी रुपया चाहिये उसको नो-प्राफिट नो-लास पर नही देना चाहिये बल्कि जितना भी रुपया उसको देना चाहिये बल्कि जितना भी रुपया उसको चाहिये सरकार उसको दे। अगर आप चाहते है कि वह एजेंसी जो इस समस्या को इस वक्त हल करने में लगी हुई है वही इसको करे तो आपको इन दोनो बातों पर विचार करना होगा और जब तक इन दोनो चीजों को आप नही हटायेंगे, तब तक मै समझता हू कि जितनी बात आप वाटर एंड स्यूएज बोर्ड से मागते है या उसके सामने रखते है वे पूरे तौर पर तथा उतनी तेज गति से तय नही हो सकतीं है जितनी तेज गति से कि आप चाहते है वे तय हों या जितनी रफ्तार से आप उनको करवाना चाहते है।

आज सुबह हमारे माननीय मंत्री जी ने इस बात को कहा कि इस दफा यमुना बहुत तेजी से रिसीड कर गई तथा एक किनारे से दूसरे किनारे चली गई और इस की सम्भावना उनको नहीं थी। मैं माननीय मंत्री जी से तथा इस सदन से अर्ज करना चाहता हूं कि अगर आप रिपोर्टें जोकि आपके पास सन् १९५५ से अब तक आती रही हैं उनको गौर से देखें तो आपको पता चलेगा कि किसी भी साल की कोई रिपोर्ट ऐसा नहीं है जिसमें यह न कहा गया हो कि यमुना का पानी हर साल इस वक्त रिसीड करता है और एक बैंक से दूसरे बैंक की तरफ जा कर लग जाता है। यह कोई नई बात इस साल या इस बार नहीं हुई है। ऐसी यह बात नहीं है जिसका सरकारी अफसरान को या वाटर एंड स्यूएज बोर्ड के अफसरान जोकि यह काम करते है पता न हो। अगर आप १९५५-५६ की रिपोर्ट को देखेंगे तो उसमें इस चीज को साफ तौर से लिखा हुआ है कि :—

The river condition during the year was not at all satisfactory. The river had altogether changed its course towards the other bank.....

इसके आगे चल कर यह लिखा हुआ है .—

With the help of military engineers....

इससे मेरा ताल्लुक नही है? इसी तरह से अगर आप १९५६-५७ की रिपोर्ट को देखें तो यही बात उसमें भी आपको मिलेगी। इन दोनों रिपोर्टों में कहा गया है कि यमुना अपना कोर्स रिसीड करती है और उस वक्त दिक्कत पैदा होती है और चैनल बनाना चाहिये जिससे कि पानी उस रास्ते लाया जा सके और पानी की सप्लाई में रुकावट में हो। जब यह चीज आपके सामने पिछले तीन चार साल बराबर आ रही है तो कोई वजह नजर नहीं आती है कि वक्त से पहले इस पर ध्यान न दिया जाए और इस पर गौर न किया जाए। आपको इस सम्भावना पर विचार कर लेना चाहिये था कि अगर यमुना रिसीड करेगी तो उस वक्त पानी की क्या हालत होगी। शहर के अन्दर अफरा तफरी मची

[श्री राधा रमण]

है। लोक-सभा के मैम्बर साहिबान नार्थ एवेन्यू और साउथ एवेन्यू में रहते है और पुरानी दिल्ली के मुकाबिले यहां पानी हमेशा ज्यादा आता है और चौबीस घटे आता रहता है और ज्यादा साफ और सुथरा आता है। मैं आपका ध्यान पुरानी दिल्ली की ओर दिलाना चाहूगा जहा पर पानी की इतनी दिक्कत महसूस की जाती है कि कुछ ठिकाना ही नही। आज लोक-सभा के मैम्बर साहिबान को आठ-दस घटे पानी न मिलने से इतनी घबराहट और तकलीफ हो रही है

(*Interruption*)

एक माननीय सदस्य प्यासे मर रहे है।

श्री राध रमण मैं आपका ध्यान उस तरफ दिलाना चाहता हू जहा की जनता जिस कि तादाद १०–१२ लाख के करीब है.

श्री स० म० बनर्जी (कानपुर) आप सारी जनता के ठेकेदार नही है।

श्री राध रमण मै मानता हू

(*Interruption*)

Mr. Speaker: In a short time all of us will have sufficient water et us not quarrel over this matter Shri Radha Raman belongs to Delhi proper

Shri Nath Pai: Delhi is ours as much as his; we have as much interest as he

श्री राध रमण मुझे इस बात का पूरा एहसास है क्योकि मै भी उनमें से एक हू कि जिन्हें आज सवेरे से पानी नही मिला और जिस ने खाना भी नही खाया है। लेकिन दूसरे भी लोग हैं जिन की भी यही हालत हो रही है।

जब आपको आज यहां बैठकर पानी के बारे में इतनी तकलीफ, इतनी बेचैनी और परेशानी और दिक्कत है तब मैं आपका ध्यान पुरानी दिल्ली के रहने वालो की तरफ दिलाना चाहता हू और मै यह चाहता हूं कि आप गम्भीरता से सोचें और जो मैंने पहले आपसे कहा कि अगर आप चाहते हैं कि दिल्ली में पानी की समस्या हल हो तो आपको उन सुझावो पर जो मैंने अभी दिये है वाटर एड स्यूएज बोर्ड के सम्बन्ध में गम्भीरता रता पूर्वक विचार करना होगा। आपको उस बोर्ड को खुली छुट्टी देनी होगी। आप यह बधन लगाते है कि .

Shri Goray: Sir, are we standing in the way of his doing that? He should tell them

Mr. Speaker: That is his manner of talking He looks to one side He finds interest in this side.

श्री राधा रमण मै यह अर्ज कर रहा था कि, अध्यक्ष महोदय, कि यह हाउस कम्पीटेंट है और सरकार भी मै समझता हू कि सब कुछ कर सकती है और उसे करना चाहिये। मै उन चाजो की तरफ आपका ध्यान दिलाना चाहता हू जिनकी तरफ आपका ध्यान जाना लाजिमी है। जब आप इस मसले पर गौर करते है तो आपको दोनो तरफ की बातो पर विचार करना पडेगा और तब इस मसले का हल निकालना पडेगा। सन् १९५५-५६ और १९५६-५७ की रिपोर्टों में यह बात बार बार कही गई है और रिपोर्ट म एक्सपर्टस ने कहा कि है हमारे हाथ बधे हुए है और हमको यह कहा गया है कि हमारा जो काम है वह नो-प्राफिट नो-लास बेसिस पर चलना चाहिये। इसको कोई सब्सिडी नही दी जानी, और जो रुपया दिया भी जाता है वह लोन के तौर पर दिया जाता है। उस रकम पर ब्याज लिया

आता है, जिसका अदा करना भी इस वाटर एंड सीवेज बोर्ड के लिये लाजिमी है। जो भी हमारे माननीय सदस्य यहां तशरीफ फर्मा हैं, मैं आपके जरिये उनसे अर्ज करना चाहता हूं कि हमें इस पर गौर करना चाहिये, बड़ी गम्भीरता से हम को गौर करना पड़ेगा, कि अगर हम यह चाहते हैं कि दिल्ली की वाटर सप्लाई वाटर बेसिस पर, चले और हम इस प्राब्लेम को साल्व (Solve) कर सकें, तो हमें इस का एलान कर देना चाहिये कि हम वाटर सीवेज बोर्ड पर से ऐसी पाबन्दियां खत्म करते हैं, हम उन्हें उतना रुपया दें जितना उनको चाहिये।

तो मैं आप से अर्ज कर रहा था कि मंत्री महोदय ने सवेरे यह बात कही थी कि यमुना का पानी एक किनारे से दूसरे किनारे चला गया। और वह बहुत तेजी से गया। इतनी तेजी से कि १५ तारीख को वह नोटिस हुआ और १७ तारीख को इतनी दूर चला गया कि कोई चैनेल नहीं रही जो कि इनटेक को पानी देती और सारे शहर में पानी आता। मैं मंत्री महोदय से इस मौके पर अर्ज करूंगा कि हमें एकस्ट्रा विजिलेंट होने की जरूरत है। सन् १९५५-५६ की एडमिनिस्ट्रेटिव रिपोर्ट में, सन् १९५६-५७ की एडमिनिस्ट्रेटिव रिपोर्ट में और इस जांडिस रिपोर्ट में से हमारे विरोधी दल के माननीय सदस्य श्री गोरे और श्री गोपालन साहब ने जो कुछ बताया है, अगर आप इन सब को ध्यान में रक्खें तो यह बिल्कुल स्पष्ट है कि यह बात मानी गई थी कि पानी रिसीड होता है, चैनेल कटती है, हमेशा पानी की तकलीफ होती है और अगर यह तीन चार सालों से महसूस हो रहा है तो कोई न कोई तरीका ऐसा जरूर अख्त्यार किया जाना चाहिये था कि जो आज हालत दिल्ली की हुई है, और जो कि हमारी जिन्दगी में आज तक कभी देखने में नहीं आई, कि एक तरफ तो यह बात कानों में आई कि सारे शहर में बाढ़ की वजह से पानी बरबाद और दूसरी तरफ हम लोग खारे के सारे पानी के मोहताज हो गये आइन्दा यह न हो। हमारी सरकार को इस तरफ खास तौर पर तवज्जह देनी चाहिये।

मैं यह भी अर्ज करना चाहता हूं कि अभी तक इन कमेटियों के जरिये जितनी सिफारिशें सरकार के सामने आई हैं यह कहना मुश्किल है कि उन पर कितना अमल हुआ है मैं नहीं कहता कि कोई कदम नहीं उठाये गये हैं। नजफगढ़ नाले का जिक्र किया जाता है। उसके लिये ६५ लाख रुपये मंजूर किये गये वह नाला करीब करीब तैयार है कुछ थोड़ी सी कसर रहती है, लेकिन मैं तो कहता हूं इससे पहले उसका तैयार हो जाना चाहिये था क्योंकि उसकी वजह से आज कंटेमिनेटिड (Contaminated) वाटर का खतरा हुआ।

श्री च० कु० नायर (बाह्य दिल्ली) : करीब करीब नहीं पूरा हो गया है, चौथाई हिस्सा भी पूरा नहीं हुआ।

श्री राधा रमण श्री नायर जी जो फरमाते हैं, हो सकता है कि उनको इसकी ज्यादा वाकफियत हो, लेकिन मुझे जो वाकफियत थी उसके अनुसार मैंने बताया कि वह नाला बनना शुरू हुआ, वह नाला खत्म नहीं हुआ, हालांकि होना चाहिये था। उसके खत्म न होने से जो दुःख आया है उसका बयान नहीं किया जा सकता। इसी तरह से आपने एक बार यह फैसला किया कि हिंडन से पानी लाया जाय, दस मील का फासला है और उसके लाने के लिये कुछ तलाश भी हुई, कुछ फैसले भी हुये। लेकिन आखिरकार उसमें दिक्कतें आईं। जब वह आईं तो उसके बाद वह दिक्कतें

[श्री रंगा रेड्डी]

भी दूर हो जानी चाहिये थी । मैं समझता हूं कि कोई न कोई स्टैन्डबाई अरेन्जमेंट करना बहुत जरूरी था । लेकिन हमारी सरकार ने उल्टे जितने कुए शहर में थे उन्हें बन्द करा दिया, जितने वाटर हाइड्रेंटस थे या हैंड पम्प थे उनको बन्द करा दिया, यह कह कर कि इस से पानी कडे मिनेट होता है और वह लोगो को नही दिया जा सकता । लोग उस पानी को सदियो से पीते आये हैं, किसी को कोई परेशानी नही हुई । आज माडर्न साइस के जमाने में चाहिये कि लोगो को अच्छे से अच्छा पानी मिले, स्वच्छ पानी मिले, लेकिन अगर हम उतना स्वच्छ पानी नही दे सकते जितना कि उनको चाहिये, तो पानी के पुराने सोर्सेज को भी बन्द नही करना चाहिये । इस मोर्डन साइंस के जमाने मे जितना पानी लोगो को मिलना चाहिये अगर हम उतना नहीं दे सकते तो उस वक्त तक कम से कम उन कुओं को, जो शहरो में सैकडो वर्षों से मौजूद हैं, जिसके पानी से कोई मृत्यु नही हुई थी, उनको बन्द करना कोई मुनासिब बात नही है । जो हैंड पम्प शहर मे घरो के अन्दर लगे हुये थे, जिनके पानी को पीकर हजारो इन्सान जिन्दा रह सकते थे, उनको बन्द करके लोगो को मुसीबत में डालना ठीक नही है । आज दिल्ली शहर में पानी की दिक्कत फैली हुई हैं, तब मैं समझता हूं कि ऐसा करना और भी मुनासिब बात नही है ।

इस लिये सरकार को अपनी बढ़ती हुई जिम्मेदारी और लोगो की तकलीफ को ध्यान में रख कर कोई न कोई ऐसा कदम उठाना चाहिये जिसके जरिये इस बीमारी का सही इलाज हो सके । हर साल हम इस विषय पर यहा चर्चा करें, इस के बारे में सरकार के खिलाफ कोई ऐडजर्नमेंट मोशन रक्खा जाय, और यह बात कही जाय कि सरकार उसका इन्तजाम नहीं कर सकती, यह मुनासिब बात नहीं है ।

इन शब्दों के साथ मैं मंत्री महोदय से निहायत अदब के साथ अर्ज करना चाहता हूं कि जो दिक्कतें साफ पानी के सप्लाई करने के बारे में सरकार के सामने आती हैं उनको हर कदम पर और इस तरीके से सामने रख कर दूर किया जाये कि वह जल्दी खत्म हो और हमेशा के लिये यहां के रहने वालों को, इन्क्लूडिंग मेम्बर्स आफ पार्लियामेंट, यह यकीन दिलाया जाय, यकीन ही नही वह भरोसा दिलाया जाय, कि आइन्दा आने वाले जमाने में कभी ऐसा मौका हमें देखने को नहीं मिलेगा जो आज देखने को मिला है ।

श्री ब.अपेय (बलरामपुर) . अध्यक्ष महोदय, इससे पहले कि आप किसी दूसरे सदस्य को बोलने के लिये बुलायें, मैं आप का ध्यान श्री राधा रमण द्वारा मेरी पार्टी पर, भारतीय जन संघ पर लगाये गये आरोप की ओर दिलाना चाहता हूं । उन्हो ने अपने भाषण में यह आरोप लगाया है कि वाटर एंड सीवेज बोर्ड के चेअरमैन एक जन संघ के सदस्य हैं, और जो भी जल की कमी पैदा हो गई उस के लिये वह भी जिम्मेदार हैं । मैं पूछना चाहता हू कि इस वाद विवाद में जनसंघ कहां से आ गया ? जो कारपोरेशन है उसमे कांग्रेस पार्टी का बहुमत है और इससे बढ़ कर जो भी जल की कमी हुई है उस के लिये केन्द्रीय सरकार जिम्मेदार है । भारतीय जन संघ का जो नाम इसमें खीचा गया है उसका उनको वापस लेना चाहिये ।

एक बात मैं और कहता हूं । मैं वाटर ऐंड सीवेज बोर्ड के जो जन संघ के चेअरमैन हैं उन्हें यह आदेश देने के लिये तैयार हूं कि वह अपना त्याग पत्र दे दें । क्या कांग्रेस पार्टी में इतना साहस है कि वह अपने हेल्थ मिनिस्टर को यह आदेश दे कि वह भी अपना त्याग पत्र दे दें ?

Mr. Speaker: Order, order. I would request the hon. Members to avoid

references to particular parties Water knows no party

Shri Vajpayee: But the reference has been made

Mr. Speaker: It is dissolved in water Dr Sushila Nayar

Dr. Sushila Nayar (Jhansi) Mr Speaker, I speak with a heavy heart because I feel that this tragedy has resulted in the suffering of millions of people in the capital This is an avoidable suffering, it could have been avoided, and it has not been avoided

Several Hon. Members: Louder please

Dr. Sushila Nayar: If the hon Members would be a little more silent, they could hear I beg to submit that this difficulty caused by the water receding from the bank where the water-works are situated is not a new difficulty At least I have been aware of it since 1952, and I believe it existed long before 1952 Year after year, thousands of men—the military also at times is requisitioned—go and dig up a channel Thousands and thousand of rupees are spent every year on this temporary channel to bring the water near the water-works What is the reason? For one year, it can be an emergency, for two years it can be an emergency But for ten years and 15 years it should go on in that fashion—that every year they should dig up a temporary channel to bring the water near the water-works and not make a permanent arrangement for that, is ununderstandable

We are a proud country and we are rightly proud of the engineering skill in this country It is possible to make a pucca, permanent channel so that the water can flow near the water pumps and there is no need to dig up these temporary channels year after year

Then, the second point that is necessary to make the flow in the Jamuna come down is some kind of an arrangement with the U P Government to allow the minimum number of cusecs to flow down the Jamuna throughout the year That arrangement not been made We were told when the Delhi State Government was there that the Uttar Pradesh Government does not agree to release the water I do not think it can be possible if the case is made properly If the Uttar Pradesh Government could not allow a minimum number of cusecs to flow down the Jamuna to supply drinking water to the people of Delhi, I think there is some misunderstanding, there is some mistake, there is some wrong approach because of which the necessary amount of water does not flow down the Jamuna

I was told some years ago that there was a scheme to build a dam to hold up all this flood-water near the hilly portion where the Jamuna comes down into the plains We have made so many dams—Bhakra-Nangal, the Damodar Valley, and the Kosi, and God knows how many for irrigation purposes and for flood control Is it too much for the Government of India to spend Rs 6 crores or Rs 8 crores or Rs 10 crores to have a dam and to ensure a regular water-supply to the people of Delhi, the capital? Along with that, there would be plenty of water for irrigation purposes for U P and Punjab I do not know why in spite of these recurrent occurrences of water shortage, that scheme was not revived

Reference has been made to a suggestion that water might be brought from the Hindon Cut That scheme also has not been implemented There are cities in this country where water is brought from 14, 25 or 30 miles The pipelines are laid Hindon Cut is not so very far away that it is an impracticable scheme to bring water-supply from there Here there is plenty of water throughout the year and there is no lack of water-supply That also could have been done But nobody has done it

[Dr. Sushila Nayar]

What we do is, when there is shortage, we all get excited; we requisition thousands of men and thousands of bulldozers from the military and we talk of *shram dan*, this, that and the other and when the emergency has passed, we forget about it. We become complacent and I am sorry to say the Government of India Secretariat just sleeps over these things. (Some Hon. Members: Hear, Hear). There have been representations in this connection from the Delhi State Government to the Government of India. The letters are on the files and these things have been discussed. Yet, there had to be a jaundice epidemic and now this situation in which there is not drop of water to drink and children are crying with parched throats, because there is no water to drink in the city of Delhi.

I am sorry to say it, but it seems to me the reason why there was jaundice epidemic is not simply the receding of Jamuna. Jamuna has receded for years before that. Najafgarh Ghat, which is being blamed by everybody, has been there, I think, for hundreds of years and yet that Najafgarh Ghat did not contaminate our water-supply and did not result in jaundice epidemic. Why should that Najafgarh Ghat become so dangerous now, Sir? I ask the ex-Rehabilitation Minister, who is sitting here, why all those colonies were built on the banks of that Najafgarh Ghat with no sanitation arrangements, and the sewerage of all those new colonies—Tilak Nagar, Ramesh Nagar and God knows what Nagar—was put into the Najafgarh Ghat? They were settled there without any sanitary arrangements, without any sewerage system and all that sewerage was put into the Najafgarh Ghat. That is why the Najafgarh Ghat has become so dangerous today and we make light of the complaint of our *sadhus* and others who have come in deputations that when they go for a dip in the holy Jamuna, they find their body smeared with night soil. That has actually happened and yet we have not taken note of that. We have just laughed at it. This is the holy Jamuna; this is no laughing matter. We laughed at that and we had to pay a heavy toll in the form of human lives, because sentiments may be respected or not; but, viruses and bacteria are going to do their job when they get into the human system; they did their job and they can do their job again and result in terrible tragedies.

17 hrs.

Why has this situation been allowed to continue for so many years? For the last five years at least, I have been hearing of schemes of a new sewerage system for all these new colonies, just like the Okhla sewage system, to be set up somewhere beyond Tilak Nagar towards Najafgarh, and it has not come into existence. With all humility I beg to draw the attention of the hon. Prime Minister to this fact. Why is there no co-ordination, no proper thinking or proper planning? We do not seem to realise the consequences of our actions? We take up schemes piece-meal We do not see far enough as to what are going to be the consequences of our actions, each of our schemes We have a Planning Commission But, in spite of that a number of schemes today are being taken up where the consequences are such that if they had been thought of beforehand the tragedy could have been prevented And this tragedy of contamination of the Najafgarh is one of those tragedies which could have been prevented if enough thought had been given to it, enough planning had come into existence at the time of preparation of all these plans and schemes

For the prevention of contamination, No. 1, is proper flow down the Jamuna, which I have dealt with. For the prevention of contamination of the river, immediate steps are necessary to take away the sewage from the Najafgarh so that Najafgarh will have only storm

water, and if storm water flows to the Jamuna, that is not going to badly affect Jamuna at all.

Then there are scientific methods for dealing with contaminated water. In theory you can take the water from the sewerage station and consider it as pure as the water from any other source. In sentiment it may not be acceptable to one. Now that is the theory which has been advanced, and it was quoted by some of our experts some time ago. I agree that this theory is there. But, at the same time, we forget that we do not only have the bacteria. We have also the worms. We have also the amoebian infection and infection of chlorine. These worms and these infections will continue in the water in spite of the chlorination. And yet even our chlorination, that is not complete in modern scientific world. There are apparatus by which automatically enough chlorination is added into the water. They are called brake point chlorination plants. When enough chlorination is there, the beam of light is cut off and with that the flow of chlorine into the water is automatically cut off. We have not introduced that automatic break point chlorination method at Wazirabad the reason being that it will raise the cost. Shri Radha Raman has pointed out the difficulty that the Sewage Board had with regard to cost. But I beg to submit that that difficulty probably, if my understanding is correct, is a thing of the past. In the past the Water and Sewage Board used to prepare this pure water and used to sell it to the municipalities on "No profit; No loss" basis, and the municipalities were not prepared to pay a higher cost. But today when the Water and Sewage Board is a part and parcel of the Corporation I think that difficulty should not be there and if the cost of water, pure water, increases a little, the Corporation should be in a position to bear that loss and, I am sure, the Home Minister will make up whatever is necessary in the form of financial assistance to the Corporation to ensure pure and safe water supply to the people of Delhi.

Then, mention has already been made regarding alternate water supply. To that I would add: there is need for greater storage capacity. In the city of Bombay the storage capacity is sufficient to supply the people for at least two days. In the city of Delhi your storage capacity is for 4-6 hours; nothing more than that. Why so? Sir, this is the capital city and here for years we have been faced with this difficulty. Why have we not increased our storage capacity, when it should have been done?

As for the alternate water supply, it is good that some suggestions were made to bring water from Hindon-Cut. But I think Shri Radha Raman's suggestion that we should keep these wells and tube-wells in a functioning condition so that in case of emergency we may have some water is good. It may not be first-class water. It may need boiling. Even our tap water today needs boiling. But it will be water, which will be available. Even today I know that there are a few wells in the city and there are large queues on those wells. People are going with *garhas*, with buckets and so on and they are bringing water from those wells. So, it will be a good idea to keep these wells and tube-wells in a functioning condition to supply water in cases of emergency.

Who knows if there is some difficulty or if there is some hostility against us? Our pipe lines can be blown up. In any big city that can happen. In that case too, if we have a few of our wells and tube-wells in a functioning condition we will be able to tide over the emergency. God forbid that an emergency should ever arise, but the ordinary type of emergencies at any rate can be taken care of.

Much was said regarding the importance of taking the people into confidence and I do want to say—the hon. Prime Minister very rightly just now mentioned that—that water should be boiled. A moment ago as I came

[Dr Sushila Nayar]

into the Lok Sabha I found water being served there and I asked them if they had boiled the water They had not They did not even think of it Why? Because the health authorities had not given that notice to the people since the 15th They should have given it Just now they are giving it but since the 15th nobody has given a notice that water is in short supply and it should be boiled before drinking Some of us who know about these things have started doing it on our own initiative, but the common man does not know anything about it

I feel that there is some need for improving the efficiency of the working of the Water and Sewage Board It is not merely what Shri Radha Raman said, the financial difficulties that stand in their way There is plenty of wastage of water in this city of Delhi I find several taps leaking Taps are out of order and some of us telephone but for two or three days nobody comes to set these taps right The common man does not care So why not have a few men who will go round and see that the taps that are defective are set right immediately? We made these proposals to them about five or seven years ago, yet no action has been taken till today In the past the difficulty was that nobody knew as to who controlled the Water and Sewage Board, but now fortunately we know that the Corporation controls the Water and Sewage Board It should be easy to set right some of these shortcomings and inefficiencies

In this respect I very humbly wish to submit that it is the duty of all of us also to do a little bit of public education and prevent that wastage of water, to turn off the taps wherever taps are found to be running and prevent that indifference and callousness that is there towards the wastage of water Shri Radha Raman said that something about 60 lakh gallons are used I wish to submit that 80 million gallons of water are being used in the city of Delhi. The supply of water has increased very considerably than what it used to be, yet everybody knows that the population has increased and it is likely to increase So, is the Town Planning acting in some way or planning for increasing the water supply Sewerage etc must also be there. If there is better co-ordination and better efforts, I am sure we can prevent these tragedies for the future The hon. Minister of Health cannot be held responsible for this He is not an expert He has to be guided by his expert advisers The Secretariat (*Interruption*) cannot be let off so easily, because, the Secretariat gets expert advice and it is by the Secretariat that the expert advice has to be implemented Very often it goes unheeded The hon Minister should look to it that expert advice is treated with better respect than it is done at present

Shri Khadilkar (Ahmednagar) Mr Speaker you were good enough to admit this motion to discuss the specific issue of the failure of the Central Government which is directly responsible to maintain elementary services in a modern city, in the premier city, in the capital city of India Unfortunately it seems, an attempt is being made by some Members opposite to whip up the whole atmosphere Another attempt was made by my hon friend Shri Feroze Gandhi to pour cold water over the whole debate I went outside even now There is no drinking water I have satisfied myself

Some Hon Members: There is aerated water

Shri Khadilkar: He got it borrowed from somewhere else

Some Hon. Members: That was hot water

Shri Khadilkar: Therefore instead of making the usual pleas,—there is

no co-ordination—let the Minister look into the matter. There is no fault of the Minister as such. Nobody is responsible. As the Minister this morning very speciously said, after all, it is the freakish behaviour of Jumna that is responsible for this failure. This speaks for the whole administration. I feel that Jumna is receding so that it should not be polluted by the foul atmosphere that has been created in this capital city by the incompetent handling of every issue, not only this elementary service. I am surprised. The Central Government is supposed to sit in judgment over the actions of the State Governments. If they fail, they are supposed to guide them and take charge of them. The Central Government now and again says, in these municipalities, they are common people, they do not know how to handle municipal affairs and therefore, they are committing mistakes and they are not looking to the ordinary services of urban life like the sewage system, water system and light system. We pass these judgments. But, on this occasion, the whole thing is spot-lighted

I do not want to defer the issue. Somebody said that some Members of Parliament have suffered. We are ready to suffer even ten hours more without water, and we are prepared to consider that issue. The main issue is why the failure has happened when there was a warning two years ago, and a very severe warning. We know thousands of people were affected by the most virulent type of infectious jaundice It was in an epidemic form and the poorer sections of the people died. No warning was heeded. Some committee was there. Schemes, as usual were made. But, till this morning, it seems from all accounts that the Minister submitted before the House this morning, nothing was done, nothing was acted upon or implemented. Unfortunately, this is happening in Delhi, the capital city and it is the premier city of India. We are inviting foreigners. We want to attract more tourl. There are foreign embassies here. In such a city, that the Central Government which is responsible should have this failure to their credit or discredit, they should consider it, not in a light-hearted manner, not in a manner as if we are sufferers. I say I was puzzled this morning. Why the Deputy Secretary went there, I could not understand. Why not the whole Cabinet, if not the Minister? He had no time. Every Minister, even for a small ceremony, with all the paraphernalia of publicity and camera-men is always ready. But, when the question of life, this elementary service is there, no Minister cares to look into the matter, going to the spot. This speaks for the whole administration.

I would like to point out on this occasion, look at the cities that are not the capital city of India, like Bombay In every modern city, there is a reserve water supply, emergency water supply. In Bombay or Poona or other places, I know, at least for a fortnight, a rationing system is introduced and two or three hours water supply is given. Here, now, after eleven years of freedom and expansion of the city, there is no water system adequate to meet the needs of the growing city, expanding city. There is no housing system, and there is no good drainage system. Is it a good thing which speaks well of the Central administration? Does it behave them to pass censorious judgment on the other administrations? Let them think for a moment This is an occasion when they should ponder and think, and admit that this was a criminal failure on their part, a criminal negligence on the part of the Government in discharging their primary duty so far as the city is concerned. That must be admitted very frankly without entering into small issues, saying that planning is bad, co-ordination is lacking and all these specious arguments that we hear everyday

And there must be an assurance—because from the past failure not

[Shri Khadilkar]

doing anything in two years' time, we feel apprehensive as to what would happen to this city The Jamuna is receding, that sort of defence or specious plea is given I know, I have visited the water station near Khadakvasla near Poona There are eminent world-famous engineers who can train the course of a river in a very short time Hydraulic engineering has advanced very fast, so far as river courses and other things are concerned Why use of that has not been made I do not know

The whole city has gone thirsty, without baths, without shave, with stink in the hospitals, the poor occupying almost dungeons in the other areas have not had a cup or a glass of drinking water for nearly 18 hours now in some parts of the city, and you come and make a specious plea Does it speak well of the Government?

As you rightly said this morning, this is an occasion when this House must get an assurance, not simple speeches, not simple explanations that they are going to plan, that they are going to appoint a committee That will come now, that they will appoint an expert committee and call for a report, and that report will be pigeonholed somewhere That sort of explanation is not wanted

I would make one more plea in this connection During my residence of 15 months here I have seen that though the new city is well planned, and it is not within the jurisdiction of the Corporation, even here the ordinary amenities which must be provided in a capital city are not provided because, after all, it is a show piece I have seen how Moscow is kept, how Paris is kept, how London is kept and it is natural therefore that we have in this city, and it is the duty of the Government to provide them not only all services in proper order without fear of a breakdown, but that the Government sees that every citizen of this place, rich or poor, is receiving proper attention and that all the services that fall within the jurisdiction of the municipality or Corporation are provided, and provided fully An assurance must be given, and given in a convincing manner Then alone the admission of this motion has some meaning because I consider it as of historic importance

I was just reading a book, and I find that during the First Lok Sabha there were only two occasions when adjournment motions were allowed—one during Shri Mavalankar's regime when an adjournment motion was allowed, then under your jurisdiction you allowed once, and in the Second Lok Sabha this is the first occasion Before the advent of freedom, in the Central Assembly you, Sir, on many occasions were fighting on issues which were allowed on motions for adjournment But that opportunity was never given to us Therefore, this occasion, so far as this House is concerned is a historic occasion when instead of talking over the issue, we must search our hearts and come out with a concrete scheme here and now that within a specified period we are going to discharge this and this and this It is not a Delhi corporation meeting or a meeting to which one or two hon Members who have the privilege of getting elected from this place try to reduce it, saying 'Oh, we do not get the loan, this scheme was not sanctioned', and so on That is not the question. It is a question of maintaining a certain standard and a certain dignity so that this capital will stand in comparison with other capitals in the world as a shining example of the capital of a free India where all services of this nature will never break down So, let there be this assurance to the citizens of Delhi and those who come to this place and all those foreigners who are permanently residing here

Shrimati Sucheta Kripalani (New Delhi) I find that many of my hon friends have covered the points to

which I wished to refer Therefore, I would not take much of your time

I fully realise the difficulties in the situation The water problem of Delhi is a very difficult one Therefore, I do not wish to minimise the difficulties of our Minister At the same time, I would like to say that the statement made by the Minister in the morning left me very dissatisfied It left a sense that he did not realise the urgency of the situation If, all of a sudden, an emergency comes, then we are all willing to condone anything, any failure on the part of Government But was this an emergency of that type? We have seen that the water problem of Delhi has been attracting our attention year after year Only today, I was going through the reports of the Delhi Administration, and I find that for the last few years, every year it has been mentioned therein that the water situation is difficult, these are the difficulties, water is in short supply, and such and such things should be done etc Every year, it is mentioned, but in spite of that, nothing tangible has been done I would like to ask the Health Minister what steps he has taken to meet the emergency that always arises every year during the rains? During the rainy season, some trouble or other occurs every year. What steps did he take to meet the situation this year? I can understand that this year the recession of the Jamuna has been greater or quicker than in other years So, the situation is a little more aggravated But what steps were taken to meet even the normally bad situation that was expected, and which we have been seeing every year?

Now, what are the problems that face us? This town had a population of five lakhs ten years back Now, we have a population of 23 lakhs Every year, I am told, there is an influx of sixty or seventy thousand people That means that in this city of Delhi we find sprawling big slums It is not only that we have water difficulty, but if we go round the city of palaces, we shall find that situated behind the palaces there are huge slums with people living in conditions which are perhaps worse than those of beasts They have no water, no latrines and no light We have been crying hoarse that some steps should be taken to stop the influx of people or something should be done to give the slum dwellers certain minimum basic amenities of life, but nothing is done

Then comes this water break-down. This report to which a reference has been made already by many hon friends, says that the proper requirement of water for Delhi population is 150 million of gallons per day The water that we are getting now with the extra or additional increase is 62 million gallons only Therefore, there is already a gap in the normal requirement of water And on the top of that, with a break-down like this, the situation gets further aggravated What are the difficulties? The first is that the water supply itself is short Dr Sushila Nayar and other Members who spoke before me have pointed out that schemes after schemes had been adumbrated Once, we heard that from the Hindon we would get water, then we heard that we were going to get water from a reservoir or a dam which was going to be built higher up in the Jumna We would like to know what exactly has been done to increase the water supply to Delhi and what steps have been taken in that direction Every year we hear of this scheme and that scheme I would like to urge that Government should think of priorities. I should think that the water requirements of Delhi should receive first priority Instead of building huge palaces, we can divert that money and that energy first in getting adequate water supply

The second problem is that of the Jamuna course shifting to the other bank so that at the intake there is shortage of water, this also is a permanent trouble I was reading in the Report that a channel was needed to be dug year to year in order to keep the water inflow at the intake

[Shrimati Sucheta Kripalani]

This is not a new problem. Every year we have to dig a channel from the place where the river shifts to the place where the intake wells are It has to be done Why was this not done in time? Why were not some steps taken in order to increase the flow at the intake so that this acute problem did not arise?

Then another big problem is of the Najafgarh Nulla—the first problem is shortage of water, the second the shifting course of the Jamuna river and the third the contamination of the Jamuna water Sushilaji has brought out the facts before the House very clearly Formerly, this nulla used to be only a storm water drain But when the colonies were built—I understand and appreciate that they had to be built in an emergency when the refugees had to be housed, so certain shortcomings might be excused—the drain from 16 colonies found their way into this nulla, and no adequate arrangements were made for sanitation or for treating the salvage and sewage before being discharged into the Nulla

We have heard of all kinds of schemes Sushilaji has referred to them We have heard of schemes for sullage and sewage But we would like to know how far the schemes have advanced I do not wish to make a very long speech or condemn anybody Facts condemn No words of condemnation are necessary Here is a situation This is not an emergency, this was not an unexpected situation This situation has been arising year after year The problems have been before us and have been discussed every year Schemes have been placed before us This is a thing which should have had number one priority

I would like to know from Government what steps have been taken to meet this situation because unless the influx of population is checked, there will be a real crisis We had only jaundice and a few deaths a few year back. But if this situation is allowed to go on, we will have a bigger jaundice and a bigger water crisis

So I would very much like to impress upon the hon Minister that he should be a little more alert. He should realise a little more the seriousness of the situation and should give proper priority to this problem

श्री वाजपेयी: अध्यक्ष महोदय, भारत की राजधानी मे, केन्द्रीय सरकार की नाक के नीचे, दिल्ली के बीस लाख से भी अधिक नागरिक पिछले अठारह घटे से बिना पानी के तडप रहे है। इस से इस बात का अनुमान लगाया जा सकता है कि हमारा शासन कितनी दक्षता से काम कर रहा है। मैं इस विवाद मे राजनीति का घसीटना नही चाहता, क्योकि जो भी सकट पैदा हो गया उसका सम्मिलित प्रयत्नो से मुकाबला किया जाना चाहिये। लेकिन इस सचाई से इन्कार नही किया जा सकता कि जो भी आपत्ति खडी हुई है उसके लिये प्रकृति का इतना दोष नही दिया जा सकता जितना कि जिम्मेदार व्यक्तियो का। यह आपत्ति मनुष्यकृत है। जमुना नदी सदा अपनी धारा बदलती है—सरकार के इन दावो के बावजूद कि नदियो पर नियन्त्रण किया जा रहा है और नदियो को पालतू बनाया जा रहा है। लेकिन यह धारा बदलने का उस का काम केवल इसी साल का नही है। पाच छ महीने पहले नदी की धारा बदल गई थी और उस समय मुर्दो को जलाने के लिये पानी नही था। आज नदी की धारा फिर बदल गई है और आज जिन्दो को जिन्दा रखने के लिये पानी नही है। मै यह निवेदन करना चाहता हू कि सारी जिम्मेदारी नदी पर छोडने से काम नही चलेगा। जब एक के बाद एक वर्ष लगातार नदी की धारा बदल रही है, तो शासन का यह कर्तव्य था कि धारा के बदलने के कारण जो परिस्थिति पैदा होगी, उसके निराकरण के लिये यह समयोचित

कदम उठाता, लेकिन सरकार अपने कर्तव्य का पालन करने में पूरी तरह से असफल सिद्ध हुई है और इस बात की जांच की जानी चाहिये कि इस के लिये कौन उत्तरदायी है । यह कहने से काम नहीं चलेगा कि सचिवालय उत्तरदायी है, सचिवालय के कर्मचारी उत्तरदायी हैं । वैधानिक दृष्टि से हमारे स्वास्थ्य मंत्री इस के लिये उत्तरदायी हैं । और उन्हें सदन को इस बात का उत्तर देना चाहिये कि ऐसी परिस्थिति क्यों पैदा होने दी गई ।

१९५५ में भी नदी ने अपनी धारा बदली थी । नजफ़गढ नाले की गन्दगी पीने के पानी में मिल गई थी और परिणामस्वरूप व्यापक पैमाने पर एक रोग फैला था । हम आशा करते थे कि इस दुर्घटना से सरकार की आंखें खुलेंगी, लेकिन ऐसा मालूम होता है कि सरकार ने पुराने अनुभवों से लाभ न उठाने का निश्चय कर लिया है और उस का परिणाम यह है कि आज फिर दिल्ली की जनता के सामने एक भयंकर संकट पैदा हो गया है । हम सब जानते हैं कि सरकार खाने के लिये लोगों को पूरा अनाज नहीं दे सकती, शरीर ढांपने के लिये पूरा वस्त्र नहीं दे सकती और आज स्थिति यह आ गई है कि सरकार लोगों को पीने के लिये पानी भी नहीं दे सकती है । अगर सरकार में थोडी लज्जा होती, तो वह चुल्लू भर पानी में डूब कर मर जाती लेकिन आज शायद यहां पर चुल्लू भर पानी भी नहीं है, इसलिये मैं ऐसा नहीं कहता कि उसे डूब मरना चाहिये ।

सवाल यह है कि जब एक संकट पैदा हो गया है, तो उस संकट की पूर्वसूचना क्यों नहीं दी गई । अचानक आकाशवाणी हुई—रेडियो का नाम आकाशवाणी है—कि जल का संकट पैदा हो गया है । अब कितने लोग आकाशवाणी सुनते हैं ? दिल्ली की जनता पूरी तरह से इस संकट का मुकाबला करने के लिये तैयार नहीं की गई । कार्पोरेशन ने एक मोटर घुमा दी, लेकिन अनेक ऐसे क्षेत्र हैं, जिन्हें पहले से सूचना नहीं मिली कि पानी नहीं आयेगा और इस लिये वहां के लोग पानी का संग्रह नहीं कर सके । ऐसे अनेक क्षेत्र हैं, जहां पानी भेजने का प्रयत्न नहीं किया गया । अगर संकट पैदा हो गया है, तो उस के निराकरण के लिये जो तात्कालिक उपाय अपनाये जाने चाहिये, उन को अपनाने में भी शासन पूरी तरह से असफल सिद्ध हुआ है । सवाल यह है कि जो भी संकट पैदा हो गया है, भविष्य में ऐसा संकट फिर पैदा न हो, ऐसी परिस्थिति पैदा न हो, उस के लिये उपाय अपनाये जाने चाहियें, लेकिन गत वर्षों में इस सम्बन्ध में सरकार ने जिस ढंग से काम किया है, उस से यह आशा नहीं होती कि भविष्य में इस प्रकार की परिस्थिति पैदा होने से रोकी जा सकेगी । कार्पोरेशन के एक इंजीनियर महोदय ने बताया है कि वह इस संकट की आशंका कर रहे थे । सवाल यह है कि अगर सचमुच में कार्पोरेशन संकट की आशंका कर रही थी, तो उस के निराकरण के लिये उचित कदम क्यों नहीं उठाये गये और ऐसा क्यों लगा कि जैसे सरकार अप्रत्याशित रीति से संकट में फंस गई है । नदी में—जमुना में—पानी आया, तो यहां बाढ आ गई और दिल्ली के सरकारी भवनों में छः छः फीट पानी भर गया । अब नदी थोडी सी सरकी है, तो दिल्ली में जल का संकट पैदा हो गया है । क्या दिल्ली के भाग्य का निर्णय जमुना नदी करेगी या हमारे सामने बैठे हुये सरकार के सदस्य करेंगे ? मालूम होता है कि सरकार से अधिक शक्ति रखती है जमुना की नदी और अगर सचमुच में जमुना नदी अधिक शक्ति रखती है, तो फिर सरकार ने अभी तक उस के नियंत्रण के लिये ठोस कदम क्यों नहीं उठाये । या तो सरकार यह स्वीकार करे कि हम जमुना पर नियंत्रण नहीं कर सकते, ताकि दिल्ली के नागरिक

[श्री बाजपेयी]

सरकार क्या करे या न करे, इस का विचार छोड कर जमुना नदी से प्रार्थना करे। लेकिन सरकार यह दावा करती है कि वह नदियो को टेम कर सकती है, नियन्त्रित कर सकती है, बडे बडे बाध बना सकती है, जिन का दुनिया में कोई सानी नही है, जिन को मन्दिरो का नाम दिया गया है और जिन को अपने कीर्ति-स्तम्भ के रूप में खडा कर के वह अपनी कीर्ति के झडे गाढ़ सकती है, तो क्या कारण है कि वह दिल्ली की जल समस्या का निराकरण नही कर सकती।

आज जो भी परिस्थिति पैदा हो गई है, उसके लिये किसी को आगे बढ़ कर उत्तर-दायित्व ग्रहण करना चाहिये जिम्मेदारी ग्रहण करनी चाहिये और अपनी भूल का स्वीकार करना चाहिये। उसे इस सदन को और दिल्ली की जनता को विश्वास में लेना चाहिये और यह आश्वासन देना चाहिये कि जो भी परिस्थिति उत्पन्न हो गई है, उस की पुनरावृत्ति नही होने दी जायेगी।

मुझे विश्वास है कि जो भी स्थगन-प्रस्ताव रखे गये हैं, उन्हें स्वीकार किया जायेगा और शासन अपनी जिम्मेदारी को स्वीकार करते हुये इस बात का संकेत देगा कि वह जनता की भावनाओ का आदर करने के लिये तैयार है।

मैंने सवेरे से पानी नही पीया है, इसलिये मैं ज्यादा भाषण नही कर सकता। धन्यवाद।

Mr. Speaker: Shri S M Banerjee

Shri Nath Pai *rose*—

Mr. Speaker: I will call Shri Banerjee first, as one other Member from his Party has spoken Now, Shri Banerjee

Shri Braj Raj Singh (Firozabad): Nobody has spoken from my Party also

Shri C. K. Bhattacharyya (West Dinajpur): Nobody has got water; so let us speak a bit less (*Interruptions.*)

Mr. Speaker: Five minutes each

श्री स० म० बनर्जी अध्यक्ष महोदय, मुझे आज बहुत खुशी है कि कम से कम काम रोको प्रस्ताव इस सदन के सामने पानी की कमी की वजह से लाये गये है और उन पर विचार करने का मौका हम लोगो को मिला है। मैं कभी कभी सोचता हू कि आखिर कोई मसला ऐसा हिन्दुस्तान मे है, जिसका समाधान, जिस के लिये उचित कार्यवाही कभी समय रहते भी हमारी सरकार करेगी। आज सदन के सामने यह बताया गया कि दिल्ली में जब बाढ का पानी आया तो उस में तकरीबन अठारह व्यक्ति मर गये और काफी लोग जख्मी हो गये और बहुत से मकान गिर गये। मैं सोचता हू कि क्या यह सम्भव नही है कि चाहे ग्रल्ले का मसला हो, बाढ़ का मसला हो, कोई भी मसला हो, उस पर पहले से विचार किया जाये और समये रहते आवश्यक कार्य-वाही की जाये, ताकि देश के सामने इस प्रकार की परिस्थिति पैदा न हो और इस तरह का सकट न उठ खडा हो, जैसा कि आज हमारे सामने है। दिल्ली हमारे देश की राजधानी है। आज जिन लोगो के हाथो में सत्ता है, उन्होने ऐसी खूबसूरत राजधानी को करबला का मैदान बना डाला है। मैं समझता हू कि अगर किसी और देश मे इस तरह की परिस्थिति पैदा होती कि पानी न होने की वजह से बच्चे परेशान हों, तो लाखो लोग इस सदन के सामने आ कर न केवल स्वास्थ्य मत्री के इस्तीफे की, बल्कि पूरी कैबिनेट के इस्तीफे की माग करते।

अगर हम प्रैस की न्यूज को पढ़े, तो हमें साफ तौर पर पता लगेगा कि इस संकट का कारण क्या है। उस में लिखा है—

"As in the past three years, the threat to the city's water supply has arisen due to a major shift in the course of the Jamuna following a sharp drop in the water level during the last week"

जवाब में यह कहा जाता है कि यमुना इज रिसीडिंग और मैं समझता हू कि यमुना के साथ साथ हमारी सरकार भी जनता से रिसीड करती जा रही है। आखिर इस तरह से कैसे काम चलेगा ? आप पानी की समस्या को भी हल नहीं कर सके जो कि इतनी लाजिमी चीज है। यह न करके यहां एक माननीय सदस्य को एक पानी का गिलास लाकर देते हुये उससे मजाक किया जाता है। इन्सान की जिन्दगी के साथ इस तरह से मजाक नहीं होना चाहिये। चाहे खाद्यान्न का मसला हो चाहे पानी का मसला हो, अगर इन्सान की जिन्दगी के साथ मजाक करना है तो आप बेशक करें लेकिन याद रखें कि मजाक का जवाब एक न एक दिन हिन्दुस्तान की जनता अवश्य देगी।

मैं आपको बतलाना चाहता हू कि एक सीनियर इंजीनियर ने क्या कहा है। उसने कहा है —

"A senior engineer of the Corporation said that the authorities had anticipated the present difficulties"

इस वास्ते यह बात नहीं है कि अचानक ही यह परिस्थिति पैदा हो गई हो बल्कि पहले ही पता था कि ऐसी परिस्थिति पैदा होगी। आप लोगों से कहते हैं कि वे इंतिजार करें। कब तक वे इंतिजार करें ? तब तक वे इंतिजार करें जब तक वे मौत के घाट न उतर जायें, जब तक वे फाका न करें जब तक उनके बच्चे तड़प तड़प कर न मरें।

आप हमेशा कहते हैं कि आपकी सरकार जनवादी सरकार है, लोगों ने इसको चुन कर भेजा है। मैं भी मानता हू कि हिन्दुस्तान की सरकार ऐसी नहीं है जो कि जबरदस्ती आ कर बैठ गई हो। यह लोगों द्वारा चुनी गई सरकार है। जब यह लोगों द्वारा चुन कर आकर हुकूमत की कुर्सियों पर बैठी है तो कम से कम उस इस चीज का अहसास तो होना चाहिये कि जब उसके सामने कोई चीज आये तो उस पर गम्भीरता से विचार कर और उसका हल करने की कोशिश करे न कि उस पर लीपा पोती करके ही सब्र कर ले। यह नहीं कहा जाना चाहिये कि राजनीतिक तरीके से उस पर हमला करने की कोशिश की जा रही है। हमारी राजनीतिक तरीके से हमला करने की मनोवृत्ति नहीं है। हम ऐसे लोगों में से नहीं हैं जो इस मनोवृत्ति का परिचय देते हों। हो सकता है कि आज सत्ता की बागडोर आपके हाथों में हो मगर हम भी भारत को एक समझ कर उसके विकास में जो बाधायें हैं उनको दूर करने के लिये अपना योगदान करना चाहते हैं और जो मसले हैं उनको हल करने की कोशिश करना चाहते हैं और उसी तरीके से सोचते भी हैं।

मैं कहना चाहता हू कि आज चौदह लाख रुपया न मिलने की वजह से यह जो प्लान है वह कामयाब नहीं हो रहा है। यह चौदह लाख रुपया न देकर आप सट्टेबाजी के लिये एक आदमी को डेढ़ करोड़ रुपये का लाइसेंस दे सकते हैं और कह सकते हैं कि वह सट्टा करे लेकिन चौदह लाख आप नहीं दे सकते हैं इस स्कीम को कम्पलीट करने के लिये। किस तरह से

[श्री स० म० बनर्जी]

मसले हल होगे, यह समझ मे नही आता है। मैं निवेदन करना चाहता हू कि स्वास्थ्य मंत्री जी से, गृह-मत्री जी से जो कि हमारे पूज्यनीय नेता है और जिनकी मै बहुत इज्जत करता हूं कि इस मसले को लेकर दिल्ली की एडमिनिस्ट्रेशन को सैध्योर करना चाहिये। आखिर क्या वजह है कि पानी का मसला जो कि कई सालो से हमारे सामने है हल नही किया गया है। इस मसले को टैम्प्रेरी तौर पर हल कर देने से काम नही चलेगा

यह ठीक है कि पानी को बायल करके पिया जाना चाहिये और लोग बायल करके पीयेंगे भी। लेकिन पिछली मिसाल भी आपके सामने है। ७०,००० लोग इस बीमारी से परेशान हुये थे सन् १९५५ मे और हजारो घर उजड गये थे। लेकिन पानी तो उनको मिलना चाहिये और यह भी देखा जाना चाहिये कि नजफगढ का डरावना नाला जो है और जिस का पानी बच्चो की किस्मत मे लिखा हुआ है कही वह इस पानी मे न मिला दिया जाये। मैं चाहता हू कि इस पर सजीदगी से विचार किया जाये। यह मामला मजाक करने का नही। एक गिलास पानी दे कर किसी के साथ मजाक नही किया जाना चाहिय। यह सवाल हमार बच्चो की मुश्कलात का सवाल है उनकी जिन्दगी का सवाल है उनकी मौत का सवाल है और इसमे कोई कोताही नही होनी चाहिये। यह मसला दिल्ली शहर का ही नही है बल्कि कलकत्ता शहर मे भी यह मसला उठने वाला है लेकिन उसकी तरफ बगाल गवर्नमेट कोई ध्यान नही दे रही है और यहा की हुकूमत भी खामोश बैठी हुई है। बगाल मे भी छ महीने मे मेलाइन वाटर का मसला उठने वाला है और वहा भी यही हालत होगी। मै कोई भविष्यवाणी नही कर रहा हू बल्कि तजुर्बे के आधार पर से यह कह रहा हू। मै माननीय स्वास्थ्य मत्री जी से दरख्वास्त करता हूं कि वह इस मसले को राजनीतिक मसला न माने और न ही इसको राजनीतिक रग दें बल्कि साफ तरीके से मानें कि उनसे गलती हुई है, यह क्रिमिनल नैग्लिजेंस है, इंडिफेंस की वजह से यह हुआ है, केलसनैस की वजह से हुआ है। यह उनको मानना पडेगा। अगर वह नहीं मानते तो मैं समझूगा कि वह बहुमत का अपमान करते हैं, जमहूरियत का अपमान करते हैं जमहूरियत का जनाजा इस सदन से निकालना चाहते है, लोगो कोपानी न देकर उनको प्यासा मारना चाहते हैं।

Mr Speaker. Shri Nath Pai

Shri Naushir Bharucha: Sir, is not the Minister going to reply? We would like to hear his defence

Mr. Speaker We won't close the debate without hearing the Minister

Shri Nath Pai Mr Speaker Sir it pained me to hear Shri Radha Raman, for whom I have considerable respect, that he should have thought it fit to introduce politics into his speech, though Shri Goray has done his utmost to keep above party politics Most of us, Sir, did not have any water before coming here, if Shri Radha Raman had it, it must have been contaminated, for his was a case of jaundice

Sir, I should begin by pointing out to you a very serious feature about this matter It is something which has to be very seriously taken to heart by everybody, in spite of the fact that the man who is speaking belongs to the Opposition It is this, that on the slightest mistake or something going wrong such serious and vital arteries of our life can be upset in the capital—communications can be upset, water-supply can be upset—and I would like, particularly, the Prime Minister and the Home Minister to take into consideration the implications of this Sir, the border is not far away from here, and any enemy can play any kind of havoc with this

country, because the capital's life can be paralysed by anything, as we have noticed it within the short period of three weeks It was once deluged with water and everything went out of order Today we have a shortage of water Only yesterday somebody told me that when they were landing in India they saw water all around the capital—he is staying with me, a foreign young man—and this morning when the water was cut off, he said that it is like the case of the ancient mariners "water, water everywhere, not a drop to drink"

Sir, I should like to bring to the notice of the House—though there is danger of some repetition, because the report has been mentioned repeatedly in this House—the report on the investigation carried into the jaundice epidemic that had broken out in the capital Sir, there is a tremendous and disturbing parallel between the two tragedies On that occasion, on the 11th of November, there was full indication that the water was contaminated nothing was done, and as many as 400,000 people in a population of nearly 20 00 000 were seriously affected Many died and it was a major catastrophe Today we find the same thing We were told this morning by the Minister that on the 15th itself they had the warning that something was going wrong with the course of the river No warning was issued to the people No steps were taken The slightest thing they could have done was first, to order the people to see that the water is boiled before they take it, and secondly, to ask the people through the innumerable instruments of publicity that they control to make some storage of water This elementary precaution, they failed to take Water is the perennial requirement of life But the only thing we get perennially is some tears which Ministers shed when something goes wrong On that occasion, also they came and shed tears.

I may make a suggestion here Perhaps the Ministry concerned with scientific research may consider whether some of the tears could not be distilled It may perhaps satisfy the water requirements of at least some of these unfortunate refugee colonies I would not press this suggestion very seriously because I know these are crocodile tears

I would like to draw the attention of the House to this aspect again After 15 days, perhaps, the Prime Minister may consider We are not speaking from a partisan point of view, we should like to assure him and the Home Minister and the Health Minister Somebody up in the administration very seriously qualified himself for Bharat Ratna next year by this miraculous job

Last fortnight, there was deluge of water, and water had to be pumped out from every house, and today, you have, including this House, to go clamouring for a drop of water We were reduced to the status of Quasimodi crying hoarse for water and Ismeralda coming and announcing that there will be water at least in the evening We thank the Minister and welcome this announcement that there will be water for the evening

I would like to point out yet another disturbing feature It is this At that time, the Minister concerned gave us an assurance I read from the Lok Sabha reports

> 'Rajkumari Amrit Kaur, speaking in the House, said "I entirely agree with my friend, Dr Lanka Sundaram He has made very valuable suggestions regarding changing the location of Wazirabad pumping station"

Three long years have passed, and what has been done? There is the promise and an assurance of a Minister who was witness to a tragedy that had befallen the capital Three years have passed and yet he has to be

[Shri Nath Pal]

awakened. The whole capital is involved, and had to witness it. After all, Rip Van Winkle had to be shaken out of his self-complacency.

Some Hon. Members: He has not been shaken.

Shri Nath Pai: They say he has not been shaken. I would like to do it. They mentioned that the Army's dredger could not be moved. If you look at the report of that Committee, it is the same old complaint. That time also, there was that bulldozer. It could not be put into operation, because there was slush and mud. How long? Sometimes we are reminded, and the Prime Minister will pardon me if I quote:

> "Quosque tandem abotere catilena patienter nostra q".

How long is this old excuse to be repeated to this House? The Prime Minister knows Latin, and he knows what I mean. How often are these old excuses, out-dated, outmoded, sorely tired excuses to be repeated everytime some such thing comes?

The river went wrong, it was said. This morning the Minister said that the Jumna is going very fast to the left. I do not quite understand whether he was complaining that the river is going left or whether he was complaining that it is going fast. Everything is going left in this country, I thought. That cannot possibly be his complaint. But perhaps he complained that the river is going fast. Everything is going in this world with the speed of Sputnik, with supersonic speed. Only our administration insists moving with the speed of a bullock-cart. Nothing will change. Three years rolled by, and yet so much inconvenience has been caused, and the old excuses that the river is moving very fast are given.

I need not refer to those things which everybody has referred to. There are three things that could have been easily done. Either the pumping station should have been moved northward or the nullah could have been moved downwards or, as they say, a weir could have been built on the river bed so that the suction would be proper, and this contaminated water would not have come in. He asks: "Should we supply that contaminated water". No, you cannot do that. We in this capital Government are entitled to be supplied with pure water. It is your duty. In duty bound you are to give us that. You cannot pose us with this dilemma: "Either contaminated water or no water". That is what he said this morning. No such thing can be tolerated. You are bound to supply us clean water, good water and enough water, and you cannot escape from that duty, unless you want to relinquish it in which case you are free to do it.

This morning, the Minister tried to take us into confidence and wanted to enlighten us. Well, I was reminded of the story of the cloud in the Sanskrit proverb which said that it thundered but brought nothing; no water. He promised to take us into confidence and so far as the information he gave us, by taking us into confidence, it was no better than what was given in this morning's papers, the only difference being that the papers were more concise, more precise and said the same thing in shorter language than he put.

I do not want to labour on the points because you are looking at me and I want to hear the reply. There is one thing I want to say very seriously. In all earnestness I charge this Government with dereliction of its duty. It is a case of gross indifference, of utter irresponsibility and serious failure to take adequate steps when they were called for and when they were warned of it. Formerly the Government opposite had failed, as somebody has pointed

out, to give us housing, clothing, food; and now, they cannot give even God given water which the Himalayas and the sky above pour on this country. Even the most elementary thing, they cannot give.

I say in conclusion only this thing. We are pledged to give a very high standard of life to the people of this country. If they want to prove their earnestness and their ability to do this very difficult thing, let them convince the people by doing a very elementary thing by satisfying the most elementary need of man—the supply of water to Delhi—without any repetition of the failure which we have seen now.

With these words, I support the adjournment motion.

Shrimati Renu Chakravartty: A little while ago, we read in the papers that the Government have been able to bring back the receding liver near *smasan* or burning ghat to the pumping station and one of the Ministers actually went there, poured milk into the river and all that. I would like to know why such measures were not taken to keep the river near the mouth of the pumping station. It is quite obvious that if in one case it was successful, efforts could have been made to keep the river near the mouth of the pumping station. I would like to know why such an effort was not made.

Shri Jadhav (Malegaon): As a temporary measures cannot water be brought by tankers and by other means?

Shri Karmarkar: Mr. Speaker, Sir, as I took the liberty of saying myself this morning, it is not a subject of taking sides. It is a subject of importance to all sides of the House and to the whole population of Delhi. From that point of view, as I was closely listening to the contributions of my various esteemed colleagues, I could gather three points and I asked myself three questions. Firstly, was there any remissness in respect of the water failure today and yesterday? Was there anything which the authorities could do, which they had not done? Were there any precautions that should have been taken and which have not been taken? That was the first question.

The second question was from the long-term point of view. Attention has been rightly drawn to the committee's report. The committee which was appointed after the tragedy of jaundice in Delhi went into the matter very thoroughly. We esteem their thoroughness of work and we accepted their recommendations. As I will have occasion to tell the House a little later, excepting two the other recommendations have been accepted and are being put into practice. The two recommendations concerning the augmentation of the water-supply dependent upon other States like U.P., the Hindon water-supply, etc.. are subjects of negotiation between the Government of India—now, of course, the Corporation has come into being—and the States concerned, like Punjab and U.P.

Shri Tyagi: For how long?

Shri Karmarkar: Let the hon. Members wait patiently; I shall tell. The third is in regard to the suggestions rightly made. For instance, Dr. Sushila Nayar suggested, is it not practicable to have a permanent reservoir? On this point, I would like to invite the attention of the House to one fact and that is, the contour of Delhi is peculiar. In Bombay, we can think of reservoirs where water could be permanently stored. Here the main source of water has been found to be the Jumna. In this flat part of the country, there is no other way by which we can, say, bring the mountain water from Himalayas down by gravitation and store that water. That has not been found to be practicable. The best experts have gone into the matter and they have not found that suggestion to be feasible. Whether we like it or not, we have

[Shri Karmarkar]

to depend substantially for our Delhi's water-supply on the Jumna river The House very well knows the difficulties of bringing that water and storing it With due respect, I do not think the suggestion is a practicable proposition, namely, to think in terms of creating a reservoir for pumping out water from Jumna and storing it Attempts are being made to increase the present reservoir space In fact, we have small reservoirs to serve the respective localities That is the peculiarity of the water-supply position in Delhi Like power supply What is created has to be distributed The water that comes to us in New Delhi, for instance, is the water which was pumped from the Jumna some hours back, purified and distributed There is no other way There is the possibility of storing a small percentage just as what was done yesterday The water that was supplied from 5 to 7 was water that was stored The water that is being given now from 5 to 7 this evening is from what has been stored in the morning

Shrimati Renu Chakravartty: What is the storage capacity?

Shri Karmarkar: It is up to 10 hours in some cases

An Hon Member Why not increase it?

Shri Karmarkar. That is the difficulty in the situation of Delhi so far as the water supply is concerned

There is another fact which we tend to forget, and in fairness to those of our officers or bodies which are in charge of the water supply—in some cases they fail, sometimes on account of causes partially beyond their control—we must say that in spite of all that has been stated—(unfortunately for us we had the jaundice epidemic and I will not go into the facts now)—after we had passed through that disaster, it must be said to the credit of those who are in charge of water supply in Delhi—and hon Members will testify to this fact—that last year although we had a long range of epidemics in different States, cholera, small-pox and things like that, Delhi has been very peculiarly free from these epidemics, and the credit for this goes to those people who day in and day out look after the purity of the water supply in Delhi I can say here with confidence that so far as the purity of the normal water supply is concerned, it can compare with that of any other city's water supply There is no doubt about it.

An Hon. Member: Nobody complained about that

Shri Karmarkar. I am coming to that half a second later on I want the House to be indulgent I did not interrupt the hon Members when some of the members gave wrong facts

An Hon Member: Come to the point

Mr. Speaker· Should we not allow the hon Minister to speak?

Shri Nagi Reddy (Anantapur) There was no complaint about last year The complaint is about this year

Shri Karmarkar· I am coming to that

Mr. Speaker. Hon Members should not go on interrupting

Shri Nagi Reddy: Let him come to the point

Mr. Speaker: This is very wrong He knows what to say

Shri Karmarkar: If the hon Member waits half a second longer, I am going to reply to his question The change in the course of the river is something which generally happens in September But it happened this year

a little too early on account of the extraordinary floods. Normally we did not expect it in August, but this year it came a bit early. It was not as if water was completely cut off yesterday; it was only the first floor tenements that were not getting water. We did not expect that the total water supply would fail. And let me tell you that the water did not fail completely, because the precautions were taken. It was not as if the whole of yesterday water could not be supplied. But we deliberately did not supply water yesterday evening. Why? Because, there is a certain limit beyond which the chloride content should not go. After the test was over, there were two views about the matter by the medical wing of the Corporation. The question was: shall we wait for a little while? We cannot deny water for weeks or days together. But we sat down and thought. Is it good waiting till the chloride content of the water is five to a million? They went seven to a million. That was a safe limit. But when the chloride content of water up to 15 to a million, they paused: shall we deny the city of Delhi water for some time say half a day or shall we supply impure water? That was the question that was before us. Should we wait till we are satisfied about the chloride content? Hon. Members are free to attack us by saying that proper vigilance was not exercised. But really we took a serious view of the matter when the Corporation authorities told us yesterday: here is the inconvenience, here is the difficulty. Even today the problem was before us in the noon when I paid a visit personally to the Wazirabad intake well. The problem that was posed before me was: are we to take a risk in the matter of water supply for the immediate requirements? If we wanted, we could have given water which was dirty. Was it worthwhile causing inconvenience to the city or was it worthwhile serving dirty water to the people? Even today also when I visited the work, we had to face the problem. (*Interruptions*).

123 L.S.D.—9

Mr. Speaker: Let the hon. Minister continue.

Shri Nath Pai: We do not want to interrupt. But he is not dealing with the points raised by members.

Shri Karmarkar: I will deal with the points one by one.

श्री जाधव : पीने के लिये पानी बाहर से लाया जा सकता था ।

Mr. Speaker: If the hon. Members want to put questions, they must put them to the Chair. I cannot allow this kind of interruption. This is very wrong. Hon. Members should set an example to others. They have chosen them as representatives.

I have given opportunity to every section in the Opposition. The hon. Minister is replying to every point as he thinks best. What is the good of interrupting? Hon. Members will kindly write out what they want the hon. Minister to say and I shall ask him to repeat that. There is no meaning in interrupting like this. I have watched very carefully and have allowed every reasonable opportunity to the Opposition. They seem to control the Ministers here. It is improper. The Opposition has got a right to speak but not to control the Ministers. Shall I convert the majority into a minority? That seems to be the kind of democracy that hon. Members want me to exercise in this House. I am not going to do so.

18 hrs.

Shri Karmarkar: I was just on the question on which hon. Members were very particular. They charged the Government as also the Corporation with remissness. Let them listen to me patiently and then honestly tell me whether they are satisfied or not.

When I paid a visit this morning, I looked at the thing from a critical

[Shri Karmarkar]

point of view. What was the situation there? I am prepared to take as many hon. Members as are willing to come this evening or tomorrow morning and see as to how matters on the river bank are like. What did I find? I found, for instance, that the channel which flows into the intake well at Wazirabad was absolutely sluggish. It was not sufficient as the water current had gone ahead. Between this channel which is 20 feet or 30 feet wide at places and the other bank of river is an expanse of 1000 feet or 1200 feet, all wet and slush. It has been so for the last four days. Then I asked the officer-in-charge as to what was the condition on the 14th evening and on the 15th morning. He told me that the whole surface was water on the 14th. Then on the 15th a part of the river was visible. A part of land was visible which meant that water was going down. Every day, since the 15th, on the 16th, on the 17th water has gone down by about ·9 to a foot in surface in extent of 100 to 200 feet. That is the situation. In such slush conditions no dredger can work and all that was entirely necessary for them to do was to take a channel from the receding waters into the intake well. That was their whole difficulty. On the first day there were 500 men working, on the second day about a thousand men, yesterday there were 3000 labourers and today about 2,500 to 3,000 people are actually working. Hon. Members will appreciate the fact that when the river is almost wet, it is so very difficult to take a channel across unless a part of it is dry—it need not be completely dry but at least it should be solid to enable the workmen to dig a channel. What happened was that they had four dredgers or whatever they call it. I saw this morning that the Army put an Army dredger or bulldozer which got stuck and could not work till 2 p.m. this afternoon. When it once began to work it began to do about 900 people's work.

Shri Nagi Reddy: The point is.....

Mr. Speaker: I will have to ask the hon. Member to keep out of the House until the hon. Minister finishes his speech, if he goes on interrupting like this.

Shri Nagi Reddy: But, Sir,. the point is....

Mr. Speaker: He has no right to interrupt like this.

Shri Karmarkar: Actually till 2 p.m. this afternoon the Army bulldozer could not work. When I saw it working, it used to do a lot of work and *in about two hours' time the whole* channel has been cleared up. I have it from my colleague, the hon. Deputy Minister of Defence that the whole work has been done in about three hours' time. One of the channels has been cleared. Now, there is no question. If the channel's resources are augmented, by the evening we will have got 50% of the normal intake of the intake well and maybe, if all goes well, by tomorrow evening the normal water supply will be tackled.

Now, that is so far as the steps taken are concerned. I may tell the House that I myself went into the matter critically and I am fully satisfied that all that was possible was done. In testimony thereof—of course, it is very regrettable because now the water is on from 5 to 7 but the hon. Members are absent from their residence—I am prepared to take hon. Members this evening or tomorrow morning. I wish an impartial committee of the House to tell us what better arrangements they could have made in the circumstances.

An Hon. Member: Appoint a committee.

Shri Karmarkar: An expert committee of people who know their job.....This is about what has happened.

I should also feel it my duty to tell the House of the permanent measures

that were sought to be taken. I will not take the time of the House too long. I have before me an analysis of the 13 principal recommendations that were made by that Committee. If I may put it that way, apart from other organisational matters and things like that, there were what I might call three structural recommendations, some things to be done to the river. One was to have a wall along the right side of the bank, the whole idea being, in the near future, by the next year, whatever happens, howsoever erratic Jumna may behave next year, water supply may be ensured. I will not follow my hon. friend's suggestion that ultimately milk should be poured into the Jumna. In these hard days for food and things like that, I would not pour any more milk into the Jumna to induce the Jumna to be kind to us. I should like to take scientific measures. The main problem before us during the last three years has been to train the current of Jumna in such manner that the Wazirabad intake well may have sufficient water.

Hon. Members will be surprised to learn, those of them that have been critical, that right till yesterday morning, the average supply of pure water has been 162 million gallons per day. We have not failed in that; not even 100 gallons less. It is only yesterday morning that they discovered that difficulty. They could have given 20 million gallons of water. But, they thought about the matter. The sullage had increased. The chlorine content increased, as I said, from 5 to 7 to 14 per million. There was difference of opinion, one opinion holding, it does not matter, things may not happen, there will be a scare. The medical opinion was, does not matter if water fails for half a day, people will understand; rather than giving them poison or sullage water or water that might lead to unfortunate developments again, let us stop the water for half a day. Supposing, unhappily, even if we did not take corrective measures, I would have requested the people to boil the water—we understand; but, everybody does not understand; for the man in the street, yesterday evening, they put it on the radio; I did not know that till this morning when water supply failed; I was told that it was put on the radio; but, the radio does not reach everybody—rather than take the risk of the common man suffering for our well-meant failure of duty in the sense that we did not want to starve children, we stopped the water. It is a sad pity. I do not hold it good for one moment to deprive people of drinking water. But, then, that was the alternative before us. Yesterday, I must say, I congratulated the Corporation authorities who decided to give us rather inconvenience than impending illness yesterday. If unhappily even today, the situation had persisted, then, I should like to tell the House that the best way to use the water that would come this evening, tomorrow and for two or three days more, would be to boil it and drink it. Because, ultimately, there is no precaution, and no precaution will be sufficient for the purpose. Ultimately, I saw water flowing fast. No water was delivered till yesterday evening which could not be counted as perfectly pure from the point of view of chlorine content.

Shri C. K. Nair (Outer Delhi): May I know one point? When water is coming from above, is there any fear of the Najafgarh nulla coming and contaminating the water? There is no fear.

Shri Karmarkar: In ten or 15 minutes, I am coming to that. That is an important point which I cannot miss. So far as the immediate occurrence of scarcity of water is concerned, I for one look at the problem objectively, not as a Member of the Treasury Bench. Of course, I am bound to look at it from that point of view. But, in such a question, one cannot look at it from the conventional point of view because failure in such

[Shri Karmarkar]

a case would be absolute failure. Looking at it objectively, I do not find fault. In fact, when the problem was put before me, shall we pump in 25 million gallons of water in the evening, shall we pump 14 million gallons of pure water or 25 million gallons of pure and impure water, I said, I must consult opinion. I must be sure whether it would be wiser to give a limited supply of water or give more water which is capable of producing disease. Under the circumstances, I would respectfully put it to the House and I am quite sure that on this point, whether it is Shri A. K. Gopalan or Shri Goray or any one except Shri Nath Pai who went on conventional lines, they will agree. I was very much impressed by what I might call, with all respect, the sincerity of what they said, because ultimately, the cause is as dear to us as it is to them. They have right to have a grievance though they were a little misinformed. That is another matter. I was very courteous to them when I said that they were little misinformed. That is another matter. I said I entirely agree in their grievance and from that point of view, if they could take my objective word for it, there is absolutely no remissness so far as the occurrence of the past 4 or 5 days is concerned. In fact, I should say, for the inconvenience caused, we shall ask the people to pardon us. Nobody could be more miserable than any one on this side or on the other side that people should go without water, that students should go without water. There could be nothing more miserable, but under the circumstances, we had no other option. Of course, if the same thing had repeated, we would have gone and gegged round the streets to drink the water, but drink it after all precaution. But I must tell the House that they served us very well in giving whatever water they have given. They have given the best till yesterday evening, and that is the best they could have done.

Shrimati Sucheta Kripalani: Why were not people warned?

Shri Karmarkar: I shall deal with that small point.

As soon as they found yesterday that the chloride content had begun to go up to 14 and 15, they took the earliest measures to warn people. They put it out on the radio, they put it up everywhere in the streets of Old Delhi. I do not know what happened in New Delhi. I have it before me that by tom-tom and other measures they did it, but in such matters, let me honestly confess that such messages of caution will not reach every home. There is always an imperfection in this matter. One cannot go to every home and tell every one. I have known of educated people who have been warned, who still say: "Nothing has happened to me till now. What will happen to me in the future?" Our people are phenomenally careless even when warned, but I will not say every step was taken to have every man warned. That is about all.

Coming to the permanent scheme of things, I do not think I need take a long time of the House on this occasion, there will be many opportunities, but in fairness to the committee's recommendations and how we have implemented them, I should like to tell the House that of the 13 principal recommendations, on 11 we have taken action. I will mention a few.

For instance: the engineering authorities should not be obsessed solely with the question of the quantity of water, but should pay equal attention to its quality. And they recommended that a special laboratory should be set up. I had occasion to go to the laboratory. They do thorough testing now, and no water that comes from the Delhi water supply is in any manner impure in its quality.

Then they say there should be reorientation and all that.

Shrimati Renu Chakravartty: May we hear the eleven points?

Shri Karmarkar: The powers of the engineering secretary of the Joint Water and Sewage Board should be adequately increased. They have been increased.

One central unitary authority should be constituted to look after all civic matters. Now there is a very responsible corporation. I must say from what I have seen of their work, that they are doing full justice to the task that is entrusted to them.

The Water and Sewage Board was formerly what you call an autonomous body. Sometimes an autonomous body can be responsible to nobody, but then here it is responsible, the arrangements are responsible, to the corporation, and the corporation stands good towards its citizens.

Then they have mentioned about the advice that may be received from the Director of the Khadakvasla Research Station in regarding to the training of the river. There are two points about the training. One is lining it with a stone wall. That was finished last year. The other was a stone weir. I am sorry, unless one goes and sees the spot, one cannot visualise it. When you put down the weir along the whole river, then that water goes in on one side, and when from the weir through the sluice gate water is allowed, it will induce the carriage from the left side to the right side. I do not mind men or rivers going left. Here is a river going left as some persons also do. That is another matter. Here we want to train the current of the river from the left side to the right side to the intake well.

About this weir, any one can see that the work is partially complete. By the end of summer 1959 it will be definitely complete. By next year I do hope that we shall be able to answer this precise question, *viz.*, whether the water has been trained or not, because we have taken the advice of the Khadakvasla station, which is one of the best, if I may say so without offending any one, in the world so far as advice on water course and things like that are concerned, and we have precisely followed their advice; and I am quite sure when this weir is completed by the summer of 1959 there will be no question of the river going wrong.

Then about the permanent arrangements, I may say that out of 22 lakhs of population, about four lakhs go without good filtered water, and about 18 lakhs are being served. As I said a moment ago, the per capita consumption in Delhi—I speak subject to correction, and I wish some one points out if am wrong—so far as my information goes is the highest in the country, 35 gallons per day. Neither Bombay nor Calcutta nor Madras has a *per capita* consumption of 35 gallons per day.

Shri Naushir Bharucha: Does that include industrial supply also, or domestic consumption?

Shri Karmarkar: Pure drinking water. We are just now on drinking water. About industrial water supply, we shall come to it.

Shri Naushir Bharucha: Does this 35 gallons per day include industrial supply also or only domestic supply?

Shri Karmarkar: I am not sure about industrial supply; perhaps, it may be more, but I am not sure of it.

Shri Naushir Bharucha: Then, the *per capita* consumption in Bombay will be more.

Shri Karmarkar: When I am on the right point, my hon. friend need not divert me to something else.

I was speaking of the domestic water supply. About industrial supply, I am not having the information before me, 62 million gallons of water

[Shri Karmarkar]

divided by 18 lakhs comes roughly to about 35 gallons. That is straight arithmetic. (*Interruptions*). Let me complete my point; and this is not a point on which I should like to linger, because it is not exactly pertinent now.

The point is that we want to augment this water supply to 90 million gallons, because as I said, we have still left out four lakhs of people. There is one small difficulty here which perhaps we do not appreciate as we go along. The actual annual addition to Delhi's population has been during the last five or six years on an average 60,000; last year, it has been 80,000, and this is owing to reasons which I need not detail here. Anyone comes and settles anywhere and then asks for pure water supply. This is the trouble. Labour comes in—we have our sympathies with them—and they settle down anywhere, and they do not ask the corporation's permission to settle; they build as they like; they build some thatched huts, then they build a kutcha house and then a pucca house and this procession of evolution is going on, as the hon. Members are aware. It has been, let me confess, beyond our power to exactly regulate things as we would in a settled city. And things are yet unsettled in Delhi. We are trying our best, with the Planning Officer, the D.P.O. and the rest. As I said, the problem at present is with regard to the four or five lakhs of population. At the present moment, I may say, that according to the latest census, we have got about 23 lakhs of population. Out of them, four or five lakhs of population are served with unfiltered water. Now, in order to have an adequate water supply, we are taking measures to have all this water supply as adequate as possible. Therefore, certain steps are being taken. As I was saying, I have answered many questions in this House last year and a little earlier this year also, as to what measures are being taken. But the measures will be complete only by the end of 1959; and by that time, we do hope that the actual water supply of Delhi will be 90 million gallons as has been suggested. But that is not all. We are planning for a Delhi which may have an increased population of 3 million. But, for that, as my esteemed friend Dr. Sushila Nayar has suggested, something else has to be done. She mentioned to me about having a fixed reservoir or store-house at the foot of the Himalayas or somewhere near the mountains. But that is a long long way to this place. And because it is a long way to the place where we could have a stored water supply at the foot of the hills, we cannot help it.

The only best conclusion that our experts have come to is what is known as the Hindon river scheme. An expert committee has been established for this purpose, consisting of experts; it is headed by the Chief Engineer, C P W D.; the Director, Central Water and Power Commission, the Chief Engineer (Water), Delhi Municipal Corporation, the Chief Engineer (Irrigation), U.P., and the Chief Engineer (Irrigation), Punjab are its members. This committee has been doing a lot of work. There are so many difficulties where the States are concerned. Still, it is getting along, and as I understand it, they have come to some type of understanding; there was understanding on some points, and there was difference on others, but the work is actively going on. When that scheme goes into operation, we hope to have increased water supply. That is for the future not for but for five years later, when we shall have 120 million gallons of water.

My hon. friend Shrimati Sucheta Kripalani who was a little wrong with regard to facts said that we were not planning to have 150 million gallons of water. I do not think that in the immediate future . . .

Shrimati Sucheta Kripalani: I would refer the Minister to the report

of the Jaundice Enquiry Committee which has given us those figures. I am only quoting the figures supplied by the Government.

Shri Karmarkar: That is all right But three years have passed after the Jaundice Enquiry Committee's report We are planning for augmenting the water supply to suffice for a population of 3 million people That is when the scheme materialises It is not as if that if immediately this does not happen, tomorrow the water supply will fail The immediate step which is necessary is to augment the water supply from 60 million to 90 million We are taking that, and by the end of 1959, we hope to be in a position to tell the House that this has been achieved That is the position so far as the long range is concerned

Now, there have been suggestions round about the House, and I have tried to digest what was said, but I must say this regretfully It has been asked, 'Why not tube-wells?' It is a good suggestion to make, 'If the river water fails, why not tube-wells?'

An Hon Member: Yes, why not?

Shri Karmarkar: Of course, one ignorance does not make anything by adding to another The whole difficulty is like this We have found tube-wells, and let me tell the House very frankly that we are faced with the problem of many colonies going without water Take, for instance, the colony just on the Mehrauli Road I forget the name of that particular colony, but there was that colony At many places the tube-wells do not give good water many a time Unless the tube-well goes deep enough, it is no good tube-well If we go deep enough, it is not always that the water is full Our misfortune in Delhi has been that we have not a sufficient number of places where tube-wells have been giving a good supply of water.

Of course, it is reasonable to say that it is not wise in future emergencies to shut out the wells that exist. This afternoon, when I was driving back from that place, I saw people clustering round some wells This is a suggestion for the Corporation to consider whether good drinking water or fairly good drinking water could not be taken from wells, the wells kept clean and all that I would pass on the suggestion to them Doubtless, it will be noted for working on when there is an emergency

For instance, you know, Sir, that one of the wells in your compound had to be filled in In fact, if I may say so with your permission, we were told that the Speaker was rather unwilling to have it closed I said. 'Close the well, but do not offend the Speaker' There it is We would not like our Speaker to be anywhere near water which would not be considered as perfect water So that is the situation

Mr. Speaker: I may inform the hon Minister that I did not allow the closure Today all the persons round about are getting water from that well

Shri Karmarkar: I will not say anything further on that point

So that is the whole situation Everywhere in Delhi it is not always that good water can be found But the suggestion should be worked out In my opinion, different sites should be taken up and more wells attempted, and if there is drinking water available, it should be kept guarded and put to good use, as in some localities it is being put to good use It has to be preserved with care for use in emergencies, but I do hope that no emergency will arise hereafter in Delhi so as to go in for tube-wells, because ultimately with the amount

[Shri Karmarkar]

of care that we are taking and the amount of vigilance our friends in the Opposition are exercising, I do hope that no misfortune about water will arise in Delhi

That is all I have to say As I said at the commencement, I should like to say that there has been no problem about which we are more anxious about a solution than this problem of water supply because even if we succeed in everything else in Delhi and fail in reference to water, We will consider it as a failure also with regard to the others It will be my duty under the careful guidance of this House to look after this Of course, the Corporation is there now, a very responsible body Formerly, one could say that the Ministry or department could not look to it But now there is a Corporation working in a very efficient manner and we have every hope that with all the care we are bestowing on the solution of this problem, this problem will not arise in future

I would beg of this House to consider one aspect Ultimately whatever is said in this House is bound to have an importance outside If there is a word said in this House which is likely to increase the scare, where scare is not good, then with all the best intentions and without any disrespect to anyone, I do feel that we do a damage to the social cause in which all of us, we, the Opposition and everybody, are equally interested

Therefore, it was that I craved the indulgence of this House to place all the facts before it I am hoping that in view of the full explanation given, there will be no need to put the motion to vote In fact, it might be good to have a periodical discussion in the House itself, once in three months, because in a democratic Constitution, parliamentary discussion has a great importance For instance, this discussion will not only give courage to those who are already engaged in this task, but will spur them on to further effort, because they know that Parliament is very particular about it Therefore, the utility of such discussions is very great But in view of the facts placed by me before the House, would it be too much for me to expect of our good friends who have moved the adjournment motion with all the good intention to say 'Here is a discussion Well, we shall be vigilant hereafter There is no need for an adjournment motion'.?

Several Hon. Members *rose*—

Shri Anthony Pillai (Madras North) One point has not been answered Why is it that a 24-hour alert was not given to the population of the city that the danger was coming?

An Hon. Member: It has been answered

Shri Nath Pai: It has not been answered

Shri Goray: I have listened very carefully to the speech made by the hon Minister At the end he said that the adjournment motion should be withdrawn I would like to say that after listening to him I am all the more convinced why this adjournment motion should be pressed

I thought that after listening to this debate and knowing the seriousness with which the hon Members of this House belonging to all parties were thinking about this matter, how their minds are exercised over it, the Health Minister would give a more cogent reply All that he did was to bury the question that we raised under a heap of irrelevant facts. He said that these facts were not known But these facts were not at all relevant

The issue was why such a contingency arose when a similar contingency had arisen two years back. He said that the bull-dozer could not

work on ground which was slushy. The same thing occurred two years back when there was contamination of water. He says that the Jamuna had gone to the left side. The same thing has been happening year after year. Shri Radha Raman told us that this is not at all a new phenomenon. It has been happening for years together. There is no answer.

Then I pointed out that the expert committee had recommended three things. That you should complete the Najafgarh Nalla project so thoroughly that the water flowing through that would not be in a position to contaminate Jamuna water. That particular work has not been completed.

There was another thing—let us have a weir That has not been completed.

There was a third thing; that alternative source from Hinden should be taken up. That has not been done. It has not even started.

These were the real issues to which he had no answer at all. He tried to give us how many gallons of water we were consuming; the rate at which the Delhi population is increasing (*Interruption*). Were these figures really necessary? It was taken for granted that Delhi is a growing city. You want people to come here. If you want that there should be industries, if you want that there should be rich people coming in and settling here, it is bound to happen that this city will attract more and more people who want employment. So, all that is granted. What is not granted is that when you know those facts you cannot go to sleep and you cannot come here in the House and say that we have been trying. What have you been trying? Two years is sufficient time for anybody who is wide awake, who is vigilant, who wants really to do things to complete all this.

We moved an adjournment motion because we wanted to know why is it that within 2 years after the report you have not been able to complete this work which was recommended by the committee. To that I have received no answer; only vague promises, a lot of flowery eloquence It is really hard to imagine a worse meaningless verbiage, absolutely meaningless, which is not relevant to the issues that were raised on the floor of this House. Therefore, I want this adjournment motion should be voted upon.

In the last analysis, Sir, it is a question of priority. I would not like to offend the Prime Minister. But I would ask, Sir, that when we are spending crores of rupees on a hotel like the Ashoka Hotel, it is a question whether you give to the city of Delhi a supply of clean water or whether you would give them this hotel. For me the priority is that we must supply the city with clean water. That is the first thing. Then, we should give schools to children and Ashoka Hotel the last, if at all. That is my order of priority.

But here we find that we build the Ashoka Hotel worth Rs. 3 crores. And, my friend, Shri Radha Raman gets up and says: where is the money? I would like to advise Shri Radha Raman to catch hold of Shri Morarji Desai before he goes to America and ask him for money. We are ready in this House to give him sufficient money if it is to bring us clean water and a perennial supply of water. We are ready. We have been spending crores on schemes which are not at all immediately profitable. Therefore, I say that in this House, this question ought to be discussed on a level which does not admit of any party affiliations at all. It is a question which

[Shri Goray]

affects all of us; it is a question which affects the life and death of millions of people. Therefore, I commend my adjournment motion for the acceptance of the House.

Shri A. K. Gopalan: May I have two minutes, Sir?

Mr. Speaker: No, no. Act 6.30 I must put the question to the vote of the House. The question is:

"That the House do now adjourn."

18.30 hrs.

The Lok Sabha divided.

Shri D. V. Rao (Nalgonda): Sir, the mechanism is not working properly. I vote for the 'Ayes'.

Shri D. C. Sharma (Gurdaspur): I voted for the 'Noes' but it is not working properly.

Shri Neswi (Dharwar South): The mechanism here is also not working properly. I vote for the 'Noes'.

Mr. Speaker: I have taken these into account.

The result of the division is as follows:

Ayes—46; Noes— 161.

AYES

[Division No. 2 **18.36hrs.**

Banerjee, Shri S.M.
Bharucha, Shri Naushir
Braj Raj Singh, Shri
Chakravartty, Shrimati Renu
Digs, Shri
Dwivedy, Shri Surendranath
Gaikwad, Shri B. K.
Ghosal, Shri
Gopalan, Shri A. K.
Iyer, Shri Easwara
Jadhav, Shri
Jaipal Singh, Shri
Kamal Singh, Shri
Kar, Shri Prabhat
Karni Singhji, Shri
Khadilkar, Shri
Kodiyan, Shri
Kumbhar, Shri
Kunhan, Shri
Majhi, Shri R. C.
Matin, Qazi
Mehta, Shri Asoka
Menon, Dr K B.
Menon, Shri Narayanankutty
More, Shri
Mullick, Shri B .C.
Nair, Shri Vasudevan
Nath Pai, Shri
Panigrahi, Shri
Parulekar, Shri
Parvathi Krishnan, Shrimati
Patel, Shri Rajeshwar
Patil, Shri Balasaheb
Patil, Shri Nana
Pillai, Shri Anthony
Rai, Shri Khushwaqt
Ramam, Shri
Rao, Shri D V.
Reddy, Shri Nagi
Salunke, Shri Balasaheb
Singh, Shri L Achaw
Sonule, Shri H. N.
Supakar, Shri
Tangamani, Shri
Vajpayee, Shri
Verma, Shri Ramji

NOES

Abdur Rashid, Bakhsi
Achal Singh, Seth
Achar, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Anjanappa, Shri
Arumugham, Shri R S.
Arumugham, Shri S R.
Ashanna, Shri
Bahadur Singh, Shri
Bakliwal, Shri
Banerji, Shri P. B.
Barman, Shri
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhargava, Pandit Thakur Das
Bhattacharyya, Shri C. K.
Birbal Singh, Shri
Borooah, Shri P. C.
Bose, Shri
Brahm Perkash, Ch.
Brajeshwar Prasad, Shri
Chandra Shanker, Shri
Chaturvedi, Shri
Chuni Lal, Shri
Das, Shri Shree Narayan
Dasappa, Shri
Desai, Shri Morarji
Dindod, Shri
Dube, Shri Mulchand
Geekwad, Shri Fatesingh rao
Ganapathy, Shri
Gandhi, Shri M. M.
Ghare, Shri A. V.
Ghosh, Shri M. K.
Ghosh, Shri N. R.
Govind Das, Seth
Hajarnavis, Shri
Harvani, Shri Ansar
Haneda, Shri Subodh
Hazarika, Shri J. N.
Heda, Shri
Hukam Singh, Sardar
Jagjivan Ram, Shri
Jain, Shri A P.
Jain, Shri M C.
Jangde, Shri
Jhulan Sinha, Shri
Jinachandran, Shri
Jogendra Sen, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Kalika Singh, Shri
Karmarkar, Shri
Kotoki, Shri Liladhar
Kedaria, Shri C. M.
Keshava, Shri
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Kottukapally, Shri
Krishna Chandra, Shri
Krishnappa, Shri M. V.
Lachman Singh, Shri

NOES—contd.

Mafida Ahmed, Shrimati	Oza, Shri	Shah, Shrimati Jayaben
Maiti, Shri N. B.	Padalu, Shri K. V.	Shankaraiya, Shri
Majithia, Sardar	Palaniyandy, Shri	Sharma, Shri D. C.
Malaviya, Pandit Govind	Pande, Shri C. D.	Siddananjappa, Shri
Malaviya, Shri K. D.	Pandey, Shri K. N.	Siddiah, Shri
Malviya, Shri Motilal	Panna Lal, Shri	Singh, Shri D. N.
Mansen, Shri	Patel, Shri N. N.	Singh, Shri D P.
Maniyangadan, Shri	Patel, Sushri Maniben	Singh, Shri T. N.
Mathur, Shri M. D.	Pattabhi Raman, Shri	Sinha, Gajendra Prasad
Mehta, Shri B. G.	Radha Raman, Shri	Sinha, Shri Satya Narayan
Mehta, Shri J. R.	Raghuramaiah, Shri	Snatak, Shri Nardeo
Mehta, Shrimati Krishna	Rahman, Shri M H.	Sonawane, Shri
Mishra, Shri Bibhuti	Raj Bahadur, Shri	Subbarayan, Dr. P.
Mishra, Shri S. N.	Ram Saran, Shri	Subramanyam, Shri T.
Mishra, Shri B. D.	Ramakrishnan, Shri P. R.	Sumat Prasad, Shri
Misra, Shri R D.	Ramaswami, Shri S. V.	Swaran Singh, Sardar
Misra, Shri R. R.	Ramaswamy, Shri K. S.	Tahir, Shri Mohammed
Mohammad Akbar, Shaikh	Rameshwar Rao, Shri	Tariq, Shri A. M.
Mohiuddin, Shri	Ranbir Singh, Ch.	Thirumala Rao, Shri
Morarka, Shri	Ranga, Shri	Thomas, Shri A M.
Munisamy, Shri N R.	Rangarao, Shri	Tiwary, Pandit D N.
Murthy, Shri B. S	Reddy, Shri K C.	Tyagi, Shri
Murti, Shri M. S.	Reddy, Shri Narapa	Upadhyay, Pandit Munishwar Dutt
Nadar, Shri Thanulingam	Reddy, Shri R L.	Upadhyaya, Shri Shiva Datt
Nair, Shri C. K.	Reddy, Shri Rami	Varma, Shri B. B.
Naldurgker, Shri	Roy, Shri Bishwanath	Varma, Shri M L.
Nallakoya, Shri	Rungsung Sutsa, Shri	Venkatasubbaiah, Shri
Narasimhan, Shri	Sahu, Shri Rameshwar	Vyas, Shri Radhelal
Narayanasamy, Shri R.	Saigal, Sardar A. S.	Wadiwa, Shri
Nayar, Dr. Sushila	Samanta, Shri S. C.	Waaruk, Shri Balkrishn
Nehru, Shrimati Uma	Satyanarayana, Shri	Wodeyar, Shri
Neswi, Shri	Sen, Shri P. G.	

The motion was negatived.

Mr. Speaker: The other adjournment motions are all barred.

18.35 hrs.

WORKING JOURNALISTS (FIXATION OF RATES OF WAGES) BILL

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to move†:

"That the Bill to provide for the fixation of rates of wages in respect of working journalists and for matters connected therewith be taken into consideration."

Mr. Speaker: The hon. Minister may continue tomorrow.

18.36 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 19th August, 1958.

---

†Moved with the recommendation of the President.

[*Monday, 18th August, 1958*]

ORAL ANSWERS TO QUESTIONS — COLUMNS 1263-1300

S.Q. No.	Subject	
178	Oil refineries at Barauni and Gauhati	1263-67
179	Post-Basic Education	1267-69
180	Law Commission	1269-72
182	Country liquor in Delhi	1273-75
183	1961 Population census	1275-77
184	Calcite deposits in Saurashtra	1277-78
185	Investment Policy of the Life Insurance Corporation	1278-80
186	Gold smuggling	1280-82
188	Indian Penal Code	1282-83
189	Regional formula	1283-84
190	Jama Masjid	1284-85
192	Ordnance Factory Khamaria	1285-89
194	Hindi Teleprinters	1289-91
195	Pataskar Report	1291-92
196	Northern Higher Technological Institute, Kanpur	1292-94
198	L I C Loans to Hotels	1294
199	State Bills	1294-96
200	Oil drilling in Sibsagar	1296-97
202	Acquisition of lands in Nasik	1297-98
203	Rains in Delhi	1298-1300
	Correction of Answer to Starred Question No. 183 above	1300

WRITTEN ANSWERS TO QUESTIONS — 1301-55

S.Q. No.	Subject	
181	Dugda Coal Washery	1301
187	Vigyan Mandirs	1301-02
191	Central Assistance to States	1302
193	Chandrakeiurgarh finds	1302
197	Jetty at Trombay	1303
201	Indian Bureau of Mines Laboratory	1303-04
204	Oil drilling near Bathukhad	1304
205	Technical assistance from UNESCO	1304
206	Free and compulsory primary education	1305
207	Rourkela Fertiliser Plant	1305-06
208	Recession in U.S. economy	1306

WRITTEN ANSWERS TO QUESTIONS—*contd.* — COLUMNS

S.Q. No.	Subject	
209	Study of South Indian languages	1306-07
210	S U.N F.E D	1307
211	Southern Zonal Council	1307-08
212	Separation of Delhi-Punjab Police Cadre	1308
213	Defence Headquarters, New Delhi	1308-09
214	Coal production in public sector	1309
215	Separation of Audit from Accounts	1310
216	Election petition	1310-11
217	Loan to Singareni Collieries	1311
218	Birth Centenary of Rabindra nath Tagore	1312
U.S.Q. No		
440	Iron mines in Sawai Madhopur	1312
441	Income-Tax from Bihar	1312-13
442	L I C investments	1313
443	'Ordnance Factory News'	1313-14
444	Income Tax	1314
445	Emoluments of Government Servants	1314
446	Elephanta Caves	1314
447	Janta Policies	1315
448	Smuggling	1315
449	Export Duties	1315-16
450	Scheduled Castes and Scheduled Tribes	1316-17
451	Welfare of Scheduled Castes and Scheduled Tribes	1317
452	Income Tax cases	1317-18
453	Taxation Enquiry Commission	1318
454	Technical Education Schemes of Punjab	1318
455	Punjab's demand of iron steel and coal	1319-20
456	Ajanta Caves	1319
457	Punjab High Court	1319-20
458	Delhi University Science Classes	1320
459	Teachers in Affiliated Colleges	1321
460	Central Food Technological Research Institute	1321

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No	Subject.	COLUMNS
461	Petroleum deposits in Muradpur	1322
462	Special Life Insurance Agents	1322
463	Indian Educational Service	1322-23
464	UNESCO Aid	1323
465	Advisory Committee for Libraries	1323
466	Kerala Education Bill	1324
467	Delhi Schools	1324
468	Circus	1324-26
469	Nuclear Science	1326
470	Indian Council for Cultural Relations	1326-27
471	War Memorials	1327
472	Jet aircraft for Auxiliary Air Force	1328
473	Excavations at Babor	1328
474	Government construction work	1328-29
475	Indian students in foreign countries	1329
476	Bhatinda Fort in Punjab	1329
477	University of Punjab	1330
478	I.A.F accident	1330
479	Indo-Pakistan Police Officers Meeting	1331
480	Tagore's Ancestral Home	1331-32
481	Education Board	1332
482	Purchase of steel at controlled rates	1332 33
483	Seminar on Child Welfare	1333
484	Timber for Neyveli Lignite Corporation	1333-34
485	Untouchability	1334
486	Sweepers and scavengers in Cantonments	1334-35
487	Distribution of steel	1335-36
488	Benches of Madhya Pradesh High Court	1336
489	Indian Contingent to Asian Games at Tokyo	1337
490	Opium	1337-38
491	Government Opium and Alkaloid Works, Ghazipur	1338-39
492	Soft Steel	1339-40
493	German Research Expedition	1340-41
494	Manipur Rifles	1341
495	Fire in Manipur	1342
496	Physical Education Teachers	1342-43
497	Pipes lying in Himachal Pradesh	1343-44
498	Scheduled Caste students in Himachal Pradesh	1344
499	Social Welfare Centres in Himachal Pradesh	1344
500	Unearthing of Arms Factory	1344-45
501	Officers' relatives in private Firms	1345
502	Ford Foundation Training Centres	1345-46
503	Blind Persons	1346
504	Police encounters with smugglers	1346-47
505	Women's education in Himachal Pradesh	1347
506	Indian Troops in Gaza	1348
507	Smuggling	1348
508	Gold smuggling	1348-49
509	Public undertakings	1349
510	Demolition of Huts in Delhi	1350
511	New technical institutions in U P.	1350
512	Sports	1350-51
513	Corruption cases in Tripura	1351
514	Central Excise Department, Chandausi	1351-52
515	Smuggling	1352
516	Special Review Board	1353
517	Income Tax	1354
518	Excise Duty on Tobacco	1354-55

MOTION(S) FOR ADJOURNMENT 1355-68, 1463-1540

(i) The Speaker withheld his consent to the moving of an adjournment motion given notice of by Raja Mahendra Pratap regarding Incident at Jaipur on Independence Day

(ii) The Speaker gave his consent to the moving of an adjournment motion given notice of by Sarvashri Narayan Ganesh Goray, Nath Pai and Yadav Narayan Jadhav regarding breakdown of water supply in Delhi On the House granting leave the motion stood over under Rule 61 of the Rules of Procedure until 4 P M. The motion was discussed from 4 P M to 6-30 P.M. On the motion the House divided, Ayes 46, Noes 161 and the motion was negatived accordingly.

COLUMNS

ARREST OF MEMBERS . . 1372

The Speaker informed Lok Sabha that he had received a wireless message dated the 17th August, 1958 from the District Superintendent of Police, Ahmedabad city intimating the arrest of Sarvashri Indulal Kanaiyalal Yagnik and Karsandas Parmer on the 17th August, 1958 for breach of section 144 Cr P.C.

DETENTION AND RELEASE OF A MEMBER . . . 1373

The Speaker informed Lok Sabha that he had received a telegram dated the 17th August, 1958, from the Deputy Superintendent of Police, Kalol intimating that Shri Purushottamdas R. Patel, Member, Lok Sabha was restrained near Dharamsala Tower Chowk, Kalol, under section 69 of the Bombay Police Act, at 16 45 hours on 17-8-58 and was allowed to go under the same section at 18 30 hours on the same day.

PAPERS LAID ON THE TABLE 1368-72

The following papers were laid on the Table

(1) A copy of each of the following papers

(i) Audit Report, Railways, 1958, under Article 151 (1) of the Constitution

(ii) Appropriation Accounts, Railways for 1956-57, Part I—Revised.

(iii) Appropriation Accounts, Railways for 1956-57, Part II—Detailed Appropriation Accounts

(iv) Block Accounts (including Capital statements comprising the loan Accounts), Balance sheets and Profit and Loss Accounts Railways, 1956-57

(2) A copy of the Report of the Textile Enquiry Committee, 1958.

(3) A copy of the First Report of the Committee for planning measures against floods and similar calamities in Delhi.

PAPERS LAID ON THE TABLE—*contd.* COLUMNS

(4) A copy of each of the following Notifications, under sub-section (1) of Section 28 of the Mines and Minerals (Regulation and Development) Act 1957.

(i) G.S.R. No. 432 dated the 29th May, 1958.

(ii) G.S R No. 436 dated the 1st June, 1958.

(iii) G.S.R. No. 441 dated the 1st June, 1958 containing the Minerals Conservation and Development Rules, 1958.

(5) A copy containing the Delhi Electoral College (Election of Members) Rules, 1958 published in Notification No G.S R. 603 dated the 11th July, 1958, under sub-section (3) of Section 28 of the Representation of the People Act, 1950

(6) A copy of each of the following Notifications, under sub-section (3) of Section 169 of the Representation of the People Act, 1951, making certain further amendments to the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956

(i) G S R. No. 433 dated the 29th May, 1958.

(ii) G.S R. No. 527 dated the 26th June 1958.

(7) A copy of the Notification No. G S.R. 593 dated the 12th July, 1958 containing the University Grants Commission (Terms and Conditions of Service of Employees) Rules, under sub-section (3) of Section 25 of the University Grants Commission Act, 1956

(8) A copy of the Notification No. G S R. 317 dated the 10th May, 1958, under sub-section (3) of Section 48 of the Life Insurance Corporation Act, 1956, making certain amendment to the Life Insurance Corporation Rules, 1956, as corrected by Notification No. G.S.R. 490 dated the 21st June, 1958

(9) A copy of the Notification No G.S.R. 636 dated the 25th July, 1958 containing the Customs and Central Excise Duties Drawback (Bicycles) Rules 1958 under

PAPERS LAID ON THE TABLE—*contd.* COLUMNS

sub-section (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944.

(10) A copy of each of the following Notifications, under section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944.

(*i*) G.S.R. No. 647 dated the 2nd August, 1958

(*ii*) G.S.R. No. 679 dated the 9th August, 1958

(*iii*) G.S.R. No. 680 dated the 9th August, 1958

(11) A copy of the Estate Duty (Distribution) Rules, 1958, published in Notification No. S O. 327, dated the 29th March, 1958, under sub-section (2) of Section 6 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957

REPORT OF SELECT COMMITTEE PRESENTED 1373

Shri C. R. Pattabhi Raman presented the Report of the Select Committee on the Estate Duty (Amendment) Bill, 1958.

STATEMENT BY MINISTER 1374-75

The Minister of Railways (Shri Jagjivan Ram) made a statement regarding the decisions taken by the Government on the recommendations of the Railways Freight Structure Enquiry Committee for the revision of the freight structure and also laid on the Table a copy thereof.

COLUMNS

MINUTES OF THE ESTIMATES COMMITTEE LAID ON THE TABLE 1377

Shri Balwantray Gopaljee Mehta laid on the Table a copy of the Minutes of the sittings of Estimates Committee held during the year 1957-58 Vol. I, Nos. 1 to 3 .

BILLS PASSED . . . 1378-1463

(*i*) The Minister of State in the Ministry of Home Affairs (Shri Datar) moved for consideration of the Code of Criminal Procedure (Amendment) Bill, 1958. The motion was adopted. After clause-by clause consideration the Bill was passed

(*ii*) The Minister of Home Affairs (Pandit G B Pant) moved for consideration of the Armed Forces (Assam and Manipur) Special Powers Bill, 1958. The motion was adopted. After the clause-by-clause consideration the Bill was passed.

BILL UNDER CONSIDERATION 1539-40

The Deputy Minister of Labour (Shri Abid Ali) moved that the Working Journalists (Fixation of Rates of Wages) Bill, 1958 be taken into consideration The discussion was not concluded.

AGENDA FOR TUESDAY, 19TH AUGUST, 1958—

Statements by the Prime Minister (Shri Jawaharlal Nehru on International situation and water supply position in Delhi.